PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLATM

WATER*RIGHT*NUMBER*400*-W-077048-00

THEORYANT KOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBNESS FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERISK X2 MAS BEEN PLAICED MEXT TO EACH ITEM CHANGED BY THE DEPARTHENT OF NATURAL RESOURCES AND CONSERVATION CONCY OURLING THE EXAMINITION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ACCOPTED BY THE MONTHAN

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PD BDX 36800 DWBERS:

BTLI TNGS

59107

PURPOSE CUSED: STOCK SOURCE:

UNNAMED TRIBUTARY OF BRAZIL CREEK

SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

VOLUME:

.62 AF

PERIOD_DF USE: JANUARY 01 TO DECEMBER 31

* POINT_OF_DIVERSION_AND_MEANS_DE_DIVERSION:

LBT BLK OTR SEC_SEC_TWP RGE COUNTY MEANS 01 NESWSE OB 28N 37E VALLEY DAM

RESERVOIR:

OTR SEC_SEC_TWP.RGE COUNTY

O1 DNSTREAM HESWSE OB 28N 37E VALLEY

* PLACE_OF_USE_FOR_STOCK:

BCRES LOT 8LK OIR SEC SEC TWP RGE COUNTY

001

E25WSE OB 28N 37E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HOLTPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELITATIONRY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077048-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077047-00. W077048-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, URLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOJICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF GNALIBABLLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIGRBLITY." IF YOU NEED OBJECTION FORMS, OR MANG QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CRILING 1-500-624-3270 (WITHIN MONTRHA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 5971-70879.

PRELIMINARY DECREE TILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077049-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONCED DURING THE EXPAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE OCCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALABILITY."
UNLESS OBJECTED TO BY CALLED IN ON HOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPERR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANE COME ANNOTATES.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107

PURPOSE (USE): WILDLIFE

UNNAMED TRIBUTARY OF BILLICK COULEE SOURCE: SOURCE TYPE: SURFACE WATER

PRIGRITY_DBTE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

4.38 AF UCLUME:

PERIOD_DE_USE: JANUARY 01 TD DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK_QIR_SEC_SEC_IMP_RGE_COUNTY_______MEBNS____ HENENE 16 28N 37E VALLEY DAM

01 BESERVOIR:

O1 DNSTREAM

____OIR_SEC_SEC_IMP_RGE_COUNTY____

NEMENE 16 28N 37E VALLEY * PLACE_DE_USE FOR WILDLIEE:

BCRES LDI BLK OIR SEC SEC IMP RGE COUNTY

001

SESESE O9 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES COES NOT INCREASE THE

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077049-00x(CONTINUED)

REMARKS CONTINUED:

* * * *

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077049-00, W077050-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
I UNRESULOED IF NO DOBJECTIONS RAF FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) CTHE BEAN LAKE CASE) THE HAND AND AND THE BEAN LAKE CASE) THE THAT UNDER MONTHAN LAW BEFORE 1973, NO PAPROPERSOR RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THOUGH A MURPHY RIGHT STRUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY ORTES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 CWITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879. BOZFANA NT 5977:10879.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077050-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBLES FROM YOUR MATER RIGHT AS LAIMED OR AMENDED. AN ASSETIEK (2) MAS BEEN PLACED MEXT TO RACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (ONC) DURING THE EXAMINATION PROCESS. THESE CHANGES BARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUMILABILITY." UNLESS GBACTED TO GR CALLED IN ON HOTION OF THE MONTAINA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SCCTION 85-2-23), MONTAINS CODE RINDIVITED.

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		DEPT OF INTERIOR	BUREAU OF L	CTMDM CMA		
	BILLI		MT 59:	107		
	PURPOSE_CUSE2	: STOCK				
	SOURCE :	UNNAMED TRIBUTAR SOURCE TYPE: SI				
	PRIORITY DATE	FEBRUARY 28, 199 TYPE OF HISTORIC	50 CAL RIGHT:	USE		
	ELOW_BOIE:	NO FLOW RATE HAS THIS ONSTREAM RE		ED FOR TH	IS USE FROM	
	VOLUBE:	-62 AF				
	PERIOD_DE_USE	: JANUARY O1 TO DI	ECEMBER 31			
ŧ	POINT_DE_DIVE	RSION_AND_MEANS_DI	E_DIVERSION	1		
		_LOI_BLKOIR_SEC	SEC_IMP_RG	E_COUNIY	RE8A2	
	01	HENENE	16 28N 37	E VALLEY	DAM	
	BESERVOIR:					
		OIR_SEC	SEC_IMP_RG	E_COUNTY		
	01 ONSTREAM	NENENE	16 28N 37	E VALLEY		
1	PLOCE_DE_USE_	ED8_SIDCK:				
	80	RESLOI_	BLK GIR	SECSEC	IME_BGE_COUNTY	
	001		SES	ESE 09	28N 37E VALLEY	
	REMARKS:					

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BISIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002-W-077050-00g(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077049-00, W077050-00.

* THE DARC EXAMINATION OF THIS CLAIN FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE MATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUTTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITARRY DECREE AND NOTICE OF ANALIGABLITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DEFREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 875, BDZEMAN MI 5971-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 RESTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLIMBERE4002-W-077051-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRECT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSTRETSK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF ANTURAL RESOURCES AND CONSERVATION CONSCIOURZING THE EXPORTANTION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMPHRAIN RULES AS ADOPTED BY THE MOTHAMA SUPPERE COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DEGREE AND MOTICE OF AVAILABILITY." BULESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIFMAN MATER COURT IN THIS DEGREE, THE ELEMENTS OF THIS CLATMED MATER RIGHT WILL APPEAR IN THE FINAL DEGREE AS SMOWN ON THIS MOSTRACT. (SEE SECTION 85-2-233, MONTHARY CODE ARMOTRACE)

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE : PRIDRITY DATE: DECEMBER 01, 1947 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS ONSTREAM RESERVOIR. **UOLUME:** 4.38 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LDT_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY___ MEANS..... 01 MESENE 10 28N 37E VALLEY DAT RESERVOIR : OTR SEC SEC TWP RGE COUNTY D. DMSTREAM NESENE 10 28N 37E URLLEY * PLACE OF USE FOR WILDLIFE: BCRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 37E 500 NESENE 10 28N 37F VALLEY

REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PRGE 3.068

PRELIBINARY DECREE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BESITH 400 RESTRACT OF WHITE RIGHT CLAIM

WATERERISHTENUMBER: 400:-W-077051-00:(CONTINUED)

REMARKS CONTINUED:

x

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. WC77051-00, WC77052-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE OWN DURING ITS 2 EMANDMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2 WARRSOLUED IF NO BOBLECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNITDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBOOM DRAINGE AREA, 234 MONT. 343 (1998) (THE BEAN LAKE CASE) THE MATTH OF THE THAT UNDER FOURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTHAIN LAW BEFORE 1973, NO PAPE/CREATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING OWN RIGHT WITH OTHER CLAIMS IN THE BESIN. FOR EXAMPLE, COMPARED PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRSINS OR SUBBRSINS OR SUBLIA SE BUILD SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATIONARY DECREE AND MOTICE OF AVAILABLIST."

SEE SENERGH, FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER INTENT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENLITLED "MOTICE OF ENTRY OF PRELITITIORY DECREE AND MOTICE OF HAVEL ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-524-3270 (YITH'N MONTANM DALT) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 875, BOZFAMAN MT 59771-70879.

PRELIMINARY DECREE PAGE 3,069 HILK RIVER BELOW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK RACTU AND ADDRESS AND A

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLINBERE400s-W-077052-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE COPARTMENT OF NATURAL RESOURCES AND CHOSENDATION CONNEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS MOOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUMILABBLITY." UNLESS COLOCITY OF COLLED IN ON MOTION OF THE MOTIVANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINM, DECREE AS SHOWN ON THIS AGRIFACT. (SEE SECTION 85-2-239, MOTIFANE)

USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 OWNERS: BILLINGS 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE : PRIDRITY DATE: DECEMBER 01, 1947 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW RATE: .62 AF **UOLUME:** PERIOD DE USE: JANUARY OI TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDI_BLK_QIB_SEC_SEC_IWP_RGE_COUNTY______MEANS_____ 01 NESENE 10 28N 37E VALLEY DAM RESERVOIR: _____QIR_SEC_SEC_IMP_FOR COUNTY_____ 01 DNSTREAM NESENE 10 28N : E VALLEY * PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC IN RGE COUNTY 001 SENENE 10 28N 37E VALLEY 500 10 ZRN 37F URLLEY REMARKS. HE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077052-00E(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077051-00, W077052-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLIVES, OR ACRES INSTIGATED. ALSO, YOUR WATER RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED FATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITAINSY DECREE AND MOTICE OF ANALABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF BRITY OF PRELITINARY DECREE AND MOTICE OF ANATIABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN HONTAND CHIY) OR 1-406-585-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077053-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MRY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AN ASTRACKS (2) MAS BEEN PLACED MENT TO EACH JIEM CHAMBED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONECD DURING THE EXHIBITATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COUNT ON THE WATER RIGHT CLAIR EXHAMINATION RULES AS ROOPIED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DESIRE AND MOTICE OF AUGILABILITY."
UNLESS UBJECTED TO OR CRILED IN MOTION OF THE HONTANA BATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MASTRACT. (SEE SECTION 65-2-23) MONTANIA CODE ANNOTATE.

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: DECEMBER 04, 1935
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: VOLUME: 1.87 RF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS OF DIVERSION: ...LOT BLK OTR SEC_SEC_IMP_RGE_COUNTY MEANS. 10 SESUSU 13 28N 37E UALLEY DAM RESERVOIR: OTR SEC SEC IMP RGE COUNTY O1 DHSTREAM SESUSU 13 28N 37E URLLEY * PLACE OF USE FOR WILDLIFE: ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY 001 SESWSW 13 28N 37E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

B 11 ¥

PRELITINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK S BASIN ACT OF MATER RIGHT CLAIM ABSTRACT OF MATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077053-00±(CONTINUED)

PEMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PROCIICES. WO77053-00. WO77054-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN

HIMPSCLUED IF NO DOBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLARICD RIGHT. IN THE MATTER OF THE DEARBOON DRAINAGE REEA, 234 MONT, 383 (1980) CTHE BEAN LAKE CASES THE MONTHAN SUPERME COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973 NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECRAITON, FISH AND WILDLIFE, EXCEPT THROUGH B THURMY RIGHT STATUTE."

A BETTER UNDERSTANDING DE YOUR CLOTHED WATER RICHT CAN BE OBTAINED BY COPPRING YOUR RICHT VIN OTHER CLAIMS IN THE BASTN. FOR EARPHS, COMPRED PRIMITY ORTES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RICHT HAY BE QUALIC! TO WATER RICHTS IN A DOIGNING BASTNS OR SUBBASINS AS EACH SELL AS BEENG SUBJECT OTHER RICHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RICHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RICHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DETAILS HERE THE DECLIMENT ENTIFIED MATERIALS OF ANALOGY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTIRED WATER RIGHT. THEY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY." IF YOU WEED OBJECTION FORES, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN NONTRIA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MIS 5977-0279.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077054-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OH THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (±) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATWAR RESOURCES AND CONSERVATION CONTC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER CONTROL OF THE DEPTRIMENT OF NATURAL RESOURCES AND CONSERVATION CONED DUR. THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT UBSELVANIA INTO DE FALEN HALDRUMIN IN IN FRAUEDUNES DUILINED IN THE DUCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-233, MONTANA CODE ANNOTATED.)

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS:

PD BDX 36800 BILLINGS

59107

PURPOSE_(USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OECEMBER 04, 1935
TYPE OF HISTORICAL RIGHT: USE

ELDW_ROTE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UOLUME: .62 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

01 SESUSU 13 28N 37E VALLEY DAM

RESERVOIR:

OTR SEC SEC_IMP_RGE_COUNTY

O1 ONSTREAM SESUSU 13 28H 37E VALLEY

* PLOCE_DE_USE_EDR_SIDCK:

ACRES LOT OLK OIR SEC SEC IMP RGE COUNTY

SESWSW 001 13 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRTER_RIGHT_NUMBER_400g-W-077054-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077053-00, W077054-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPAGE PRIORITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BRISIS OR SUBBASINS AS WELL AS BEENG SUBJECT OT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOLUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCLUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077055-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AHENDED. AN ASSERTISK CY: MAS BEEN PLACED NEXT TO EACH TIEM CHANGED BY THE DEPARTMENT OF HATUREN RESOURCES AND CONSERVATION CONEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES GUILINED IN THE DOCUMENT ENTITIED "MOTITE OF RELIGIARRY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTITAM WHITER COURT IN THIS CLAIMED WHITER RIGHT WILL APPERS IN THE FINAL DECREE AS SHOWN UN THIS ABSTRACT. USES SECTION 05-2-23, MONTRAW CODE ANNOTATED.

OWNERS:	USA	CDEPT	ΩF	THTERTOR	BURFALL	ΩF	LAND	MENTO
DAUCDS:	uan	LUGFI	UF	THIEKTOK	DUNCHU	ur	LAND	LIGHT

PO BOX 36800 BILLINGS

MT 59107

PURPOSE_CUSE1: STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

ELDW_BAIE: HO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR.

UDLUME: .62 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC IMP RGE COUNTY MEBUS

O1 NWSERW 14 28N 37E UALLEY DAM

RESERVOIR:

____OIR_SEC_SEC_IMP_RGE_COUNTY_____

O1 DHSTREAM NWSENW 14 28H 37E UALLEY

* PLACE DE USE FOR STOCK:

OCRES LOT BLK OTR SEC SEC TWP RGE COUNTY

OO1 NWSENW 14 28H 37E URLLEY

REMORKS

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* F 11

03/31/95

PRELIMINARY DECREE PROBLEM WHITEWATER CREEK INCLUDING PORCUPINE CREEK MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077055-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077055-00, W077056-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDESSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH DIMER CLAIMS IN THE BESIN. FOR EXAMPLE, COMPRENE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISH OR SUBLE BELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MONTER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MONTER RIGHT MAY BE

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLILY."

SEE SENERGH FINDINGS OF FORT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARIBED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABLITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES IN YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1800-24-3270 (WITHIN MONTANG ONLY) OR 1-406-586-384, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK OCCUPANY BOSIN 400

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER#400#-W-077056-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CLONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLAGED MENT TO FACH ITEN CHANCED BY THE DEPARTMENT OF METURAL RESOURCES AND COMSERVATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMANIMATION RULES AS ADDITED BY THE MONTANA OF THE MONTANA COURT OF THE WATER RIGHT CLAIM EMANIMATION RULES AS ADDITED BY THE MONTANA OF THE MONTANA COURT OF THE WATER RIGHT CLAIM EMANIMATION RULES AS ADDITED BY THE MONTANA COURT OF THE SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITAINARY DECREE AND NOTICE OF SUPILIBILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL OECREE

15	SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MUNTANA CODE ANNUTATED.)								
	QWDERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PD 80X 36800 BILLINGS MT 59107								
	PURPOSE_CUSE2: WILDLIFE								
	SCURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER								
	PRIORITY_DATE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE								
	ELDW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.								
	YOLUME: 6.38 AF								
	PERIOD DE USE: JANUARY 01 TO DECEMBER 31								
*	POINT DE DIVERSION AND MEANS DE DIVERSION:								
	LOT BLK_QIR.SEC_SEC_TWP_RGE_COUNTYMEBNS								
	01 NWSENW 14 28N 37E VALLEY DAM								
	RESERVOIR:								
	OIR_SEC_SEC_IMP_RGE_COUNTY								
	01 ONSTREAM NWSENW 14 2BN 37E VALLEY								
*	PLOCE_OF_USE_FOR_WILDLIFE:								
	OCRESLOI_BLKQIR_SEC_SEC_IMP_RGE_COUNTY								
	001 NWSENW 14 28N 37E VALLEY								
	REDBRK5:								
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF								

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BROSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTENUMBER#400#-W-077056-00#CCONTINUED)

REMARKS CONTINUED:

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO?7055-00, WO?7055-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESOLUED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE RAEA, 294 MONT. 394 (1988) THE BEARL ARE CASED THE MATTER THAN SUPPRIER COURT STRIBED. -IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW SECURE 1973, NO REPRAPALATION RIGHT WAS RECORDED FOR RECENTION, FISH AND VIOLITE, EXCEPT THROUGH A TURPHY RIGHT STRIVER.-

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPRRING YOUR RIGHT WITH OTHER CLAINS IN THE BASIN. FOR EXAMPLE, COMPRE PRIDRITY OATES, FLOW RATES, UOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINING BASINS OR SUBBBASIN OR SUBJECT TO CITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HIGHT OF PRELIMINARY DEFREE AND NOTICE OF AUGILIBRILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAN BULLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*40D*-W-077057-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ATTERISK CET HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONCEDURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHER HATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER HATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER WATER OF THE MOTHER WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHER WATER COURT OF THE WATER CO SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING 10 THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."
UNLESS OBJECTED TO OR CALLED IN NOTION OF THE MONTHAM AWIRE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WHICE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN UN HIS RESTRACT. USES SECTION 465-2-233, MONTHAM CODE ANNOTATES.

59107

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800

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PURPOSE_CUSE: WILDLIFE

UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER

PRICEITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RBIE: THIS ONSTREAM RESERVOIR.

UDLUME: 3.38 RF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

SENVSE 15 28N 37E VALLEY 01 DAM

RESERVOIR:

OTR SEC SEC IMP RGE COUNTY

O1 ONSTREAM SENUSE 15 28N 37E VALLEY

* PLOCE OF USE FOR WILDLIFE:

___BCRES_____LDI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY_____

001 SENWSE 15 28N 37E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077057-00#(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCOUNT WITH HISTORICAL PRACTICES. W077057-00, W077058-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
** UNRESQUED IF NO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLATHER PLINT. IN THE HATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1989) (THE BEAN LAKE CASE) THE MONTHANS UMRERE COURT STRIED. "IT IS CLEAR THEREFORE THAT UNDER MONTHAN SHOULTED FOR RECREPTION, TISH AND WILDLIFE, EKCEPTI ROUGH A HURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WINT OTHER CLAIMS IN THE BRESH. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, JOLUMES, OR GRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISHS OR SUBBRISH OR SUBELL AS BETHEN SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF EXTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARIBED WHIRE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF WARLABGILLY LEY YOU NEED OBSECTION FORMS, OR MANUE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-564-397 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979 (WITHIN MONTHAM ONLY)

PRELIMINARY DECREE HILK RIVER BELOW WHITEMIER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#~W~077058-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTROCT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS LATIED OR HERDED. HE MSTEFISK LY 2) MAS BEEN HACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMES. TOWARD THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA MATER COURT OR THE MATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED -MOTICE OF ENTRY OF PRELIMMRY DECREE AND MOTICE OF AUBILITY. - UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHIER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-23, MONTANE OR ENMOTREE)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36BOO BILLINGS 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: NOVEMBER 09. 1967 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE: **UOLUME:** -62 AF PERIOD DE USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 SENUSE 15 28N 37E VALLEY DAM RESERVOIR: _QIR_SEC_SEC_IMP_RGE_COUNTY_ O1 ONSTREAM SENUSE 15 20N 37E VALLEY * PLACE_DE_USE_EDR_SIDCK+ ACRES LOT BLK DIR SEC SEC IMP RGE COUNTY 15 28N 37E VALLEY 001 SENWSE BEDARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PELITIMARY DECREE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBEREWOOD-W-077058-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077057-00, W077058-00.

* THE DANC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BASING OR SUBMISSING SHELL AS SETING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF RUBLING BILLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTILLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU DAY CONTACT IN ME WATER COURT BY CRILING 1-500-624-3270 (WITHIN MONTANA DRIV) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEMHER DREEK INCLUDING FORCUPINE CREEK BRSIM 400 ABSTRACT OF WHITER RIGHT CLAIM

WATERERIGHT SHUMBERS 4003-W-077059-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRRISK (x) HAS BEEN PLACED NEXT TO ERCH ITEM CHONGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONNEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTAMA SUPPREME COURT.

NT PE	VECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT TITLED MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AVAILABILITY.— LESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHMA WATER COURT IN THIS CREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SMOWN ON THIS ABSTRACT. (SEE SCITION 85-2-23), MOTINGA COOK ANNOTATED.)
	OBMORES: USA (DEPT OF INTERIOR BUREAU OF LAMO MGMT) PO BCX 36600 MT 59107
	PURPOSE_LUSE): WILDLIFE
	SOURCE: UNINAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER
	PRIDRITY_DRIE: JULY 16, 1963 TYPE OF HISTORICAL RIGHT: USE
	ELOW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
	LIDLUME: 2.11 AF
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
	POINT OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK OIR SEC SEC INP RGE COUNTY TEAMS
	O1 MWSENW 17 28M 37E URLLEY DAM
	RESERVOIR:
	QIR SEC SEC IMP RGE COUNTY
	O1 DHSTREAM NWSENW 17 28M 37E URLLEY
*	PLACE DE USE FOR MILDLIEE:
	BCRESLDI_BLKQIR_SECSEC_IMP_RGE_CDUMIY
	OO1 NWSENW 17 28H 37E UALLEY
	REDORKS:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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ABSTRACT OF WATER RIGHT CLAIM

WATERERISHIEMERE 4U02-W-077059-00#(CONTINUED)

REMARKS CONTI-MED:

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THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077059-00, W077060-00.

*** THE FOLLOWING ISSUES WERE DORNIFIED BY THE DWR DURTING ITS

* EXPARIMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN IS UNKESSUED IF NO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRODEN DRAIMAGE AREA, 234 HOMIS 1484 (1988) CTHE BERN LEKE CASE) THE MONTHMAS SUPPRIME COURT STATED? "IT IS CLEAR THEREFORE THAT UNDER MONTHMA BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT INKOUCH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT COM BE DETAINED BY COMPARING COMPAR

COMPLETE DETAILS REGARDING THE DARC EXAMENATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BY AND THE OF SHAPEY OF PRELIMBARY DEFREE AND MOILE OF AUAILBAILITY. IF YOU NELD BRISTION FORMS, DR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-664-356 (WITHIN MORTHMO DAY) OR 1-406-586-4364, OR BY WRITING TO P. C. BOX 873, BOZEMAN MT 5971-0879.

92-31/55 PRELIMINARY DECREE PROC 3.085 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 3.085 BRSITH ADDRESS ABSTRACT OF WATER RIGHT CLAIM

WATERERTENTENUMBERE4002-W-077060-00

THEORY AND HOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMORD. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESDURES AND COMMENDATION (DNC) BURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHARIZED BY THE NONTHAM WHER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE NONTHAM HIS SPREME COURT.

OBJECTIONS MAY PE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE COMMENT ĒN UNDERS

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	OWNERS:	USA CI PG BOX BILLI	DEPT OF II X 36800 NGS	TERIOR I	BUREAU MT	OF LAND 59107	MGMT)					
	PURPOSE	CUSE):	STOCK									
	SOURCE +		UNNAMED TO				EEK					
	PRIORITY	_DAIE:	JULY 16, TYPE OF	1963 HISTORIC	AL RIGH	IT: USE						
	ELOW_ROI	E:	NO FLOW!				FOR TH	IS US	E FR	DM		
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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT IT WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077060-00*(CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077059-00, W077060-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COUNT. *

A SETTER UNDESSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DBIRLIED BY COMPRING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW MAYES, UDLUMES, OR PCPES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJIINIA'S BRISINS OR SUBBASINS AS WELL AS BEING SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REJIEVED AT THE DIFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FGUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PRELIMINARY DECKEE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTANA DHLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWRIEW CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077061-00

IMPORTANT NOTICE

AJUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\$2) HAS BEEN PLACED NEXT TO BANK TO BANK ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONEC) OURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUMIORIZED BY THE MONTAHA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAHA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAHA

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUMILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTANE MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLIMED WATER RIGHT WILL APPEAR IN THE FINAL OFFICE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23, MONTANE CODE ANNOTATE).

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BTLL TNGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER * PRIORITY DATE: DECEMBER 31. 194B TYPE OF HISTORICAL RIGHT: USE FLOW_RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. 7.41 AF UBLUME: PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BUK OTR SEC SEC TWP RGE COUNTY MEANS__ 01 SWSESW 18 28N 37E VALLEY RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM SWSESW 18 28N 37E VALLEY * PLACE OF USE FOR WILDLIFE: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY SWSESW 18 28N 37E UALLEY 001 REMORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3.08B

PRELIMINARY DECREE HILK RIVER BELOW WHITEVATER CREEK BASIN 40B BASIN 40B

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#40D#-W-077061-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077061-00. W077067-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING J:5

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HS. REMAIN
UNRESOLUED IF NO BOLECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLATHED RIGHT. IN THE MATTER OF THE DERROUND DRAINAGE REA, 234 MONT. 343 C.3980 (THE DERM LAKE C.052) THE MONTANA SUPREME COURT STATED: "IT IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDESTANTING DE YOUR CLAIRED WATER RIBHT CAN DE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJINING BRASINS OR SUBBASIN SHELL AS BETTER SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITATINARY DECREE AND NOTICE OF AUGILIBILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DEFRE AND NOTICE OF AUGILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. 1. BOX 879, BOZEMAN MT 59771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077062-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACK CT; HAS BEEN PLICED MEXT TO HATURAL RESOURCES AND CONSERVATION CONEC DURING THE EXPANIATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANN WATER COURT OF THE WATER RIGHT CLAIM EXPANIATION RULES AS ADDITED BY THE MONTANN WATER COURT OF THE WATER RIGHT CLAIM EXPANIATION RULES AS ADDITED BY THE MONTANN WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITHINARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO DE CALLED IN ON HOTION OF THE MOTIFANE MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL REPER IN THE FINAL DECREE AS SHOWN ON THIS RASTRACT. (SEE SECTION 85-2-293, MOTIFANE OR ANNOTATE.)

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800

59107

PURPOSE_CUSED: STOCK SOURCE:

UDLUME:

UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER

* PRIORITY_DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_ROIE:

.39 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS_UF_DIVERSION:

MERNS LOT BLK OTR SEC SEC TWP RGE COUNTY 01 SWSESW 18 28N 37E VALLEY DAM RESERVOIR:

O1 DNSTREAM SWSESW 18 28N 37E VALLEY

* PLACE OF USE FOR SIDCK:

___ACRES..... LOT BLK OIR SEC SEC TWP RGE COUNTY

001 SWSESW 18 28N 37E VALLEY

OIR SEC SEC TWP RGE COUNTY

REMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIAGOII-W-077062-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077061-00, W077062-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO DITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODITIOE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF MODILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DEFRE ENER AND MOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CRLLING 1-800-624-3270 (WITHIN MONTANA DALY) OR 1-406-596-4364, OR BY WRITING TO P.D. BOX 99. BOZEMAN HI 5971-10979.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4003-W-077063-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) HAS BEEN PLACED NEXT TO EACH TIEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION CONRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPRIME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY." UNLESS DESCREED TO BE CALLED IN ON NOTION OF THE MOTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-233, MOTHAND AND ANNOTATE). USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 OWNERS ATI L THES 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIORITY_DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UBLUME: 2.60 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION SND MEANS OF DIVERSION: LOI BLK OIR SEC SEC TWP RGE COUNTY MEANS 01 NUSUNY 21 PRN 37E UALLEY DAM RESERVOIR: QIR_SEC_SEC_TWP_RGE_COUNTY_ O1 DNSTREAM NUSUNU 21 28N 37E VALLEY * PLACE_DE_USE_EDR_WILDLIFE: __ACRES____LOT BLK_OIR_SEC_SEC_IMP_RGE_COUNTY____ 001 NUSUNU 21 28N 37E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE R'FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT.

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PRELIMINARY DECREE PAGE 3,05 MILK RIVER BELOW WHITEWHITE CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077063-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICHE PRACTICES. WO77063-00. WO77064-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS

EXAMINATION OF THIS WATER RIGHT (LAIM). THESE ISSUES MAY REMAIN

UNRESCUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATER OF THE DERBORN DRAINAGE AREA, 234 MONT, 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPPERSE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, TISH AND WILDLIFE, EXCEPT THROUGH A NUMPHY RIGHT STATUTE."

A BETTER UNGESTANDING OF YOUR CLATIED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OHTES, FLOW RATES, OWNIERS OF ARRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJINIANG BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "RITTLE OF FRITTY OF PRELITINIARY DEFREE AND MOITCE OF AUAILABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN HONTANA DILY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 979, BOZEMAN MT 5977-10879.

PRELIMINARY DECREE PAGE 3,093 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077064-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHAMGES FROM YOUR WATER RIGHT AS CLATMED OR AMENDED. AN ASTERISK (2) HAS SEEN PLACED NEXT TO ACHIEVE THE CHAMCED BY THE DEPARTMENT OF MATURAL RESOURCES AND COMPSECUATION CONECD JURING THE EXAMINATION PROCESS. THESE CHAMGES ARE AUTHORIZED BY THE MONTHNE MATER COURT OR THE WATER RIGHT CLATM EXAMINATION RULES AS ADOPTED BY THE MONTHNE WATER RIGHT CLATM EXAMINATION RULES AS ADOPTED BY THE MONTHNE WATER RIGHT CLATMER EXAMINATION RULES AS ADOPTED BY THE MONTHNE WATER RIGHT CLATMER EXAMINATION RULES AS ADOPTED BY THE MONTHNE WATER RIGHT. SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUALABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE HONTAIN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTHANE DOOR ENHOLATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) 0088E X08 09 BILLINGS 59107 PURPOSE_CUSED: STOCK UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY_DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. **UOLUME:** -40 RF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * PDINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC INP RGE COUNTY MEANS 01 NUSUNU 21 28N 37E VALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE_COUNTY O1 ONSTREAM NUSUNU 21 28N 37E VALLEY * PLACE_DE_USE_EOR_SIOCK: GCRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 NWSWNW 21 2BN 37E VALLEY REDORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95
PRELIMINARY DECREE
PAGE 3,094
MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK
ABSIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 & - W-077064-00 & CCONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077053-00, W077064-00.

* THE DHRC EXAMINATION OF THIS CLAIN FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIGRITY DATES, PLOW RATES, UDLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIXIARRY DECREE AND HOTICE OF AUGILABILITY." IF YOU NEED OBSECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077065-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (#) HAS BEEN PLACED MENT TO EACH ITEN CHANNED BY THE BEPARTHENT OF MATUREN, RESOURCES AND CONSERVATION COMPCT DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAMA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE HONTANA WATER COURT IN THIS DECREE, THE ELECHTS OF THIS CLAIMED WATER KIGNT VILL APPEAR IN (HE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

E٤	ILESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHMA WATER COURT IN THIS CREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)								
	PO	A (DEPT OF INTERIOR E BOX 36800 LLINGS	BUREAU OF L)				
	PURPOSE_CUSE2: STOCK								
	SOURCE:	UNNAMED TRIBUTARY							
	PRIDRITY DATE: JULY 17, 1963 TYPE OF MISTORICAL RIGHT: USE								
	ELOW_RRIE:	NO FLOW RATE HAS THIS DHSTREAM RES		ED FOR T	HIS USE FRO	OH .			
	VOLUME:	.39 AF							
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		ACRESLDI	BFR 018-	SEC_SEC_	_IWPRGE_	_COUNTY			
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	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE								

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03/31/95

PRELIMINARY DECREE PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK PRINT PROPERTY AND PROPE

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077065-00x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERIATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077065-00, W077066-00.

INSTITUTION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, E DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTRADING DE YOUR CLAIMED WATER RIGHT CAM DE OBTINED BY COMPARING VOUR RIGHT VITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY DE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY."

SEE GEHERRI FINDINGS OF FACT PHO CONCLUSIONS OF LAW FOR FURTHER EXXLANDION OF YOUR CLAIMED WHER REGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE ARO NOTICE OF AMAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOOD_524-3270_UVINIAN_MONIFAM ONLY) OR 1-406-586-3864, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CHEEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077066-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MAXT TO EACH ITEM CHANGED BY THE CEPARATHENT OF MATUREN, RESOURCES AND CONSEQUATION (CHARC) DURING THE EXMINATION PROCESS. THESE CHANGES AND ENDIFIED BY THE MONTHAIN MATER COURT OF THE WATER RIGHT CLAIR EXMINATION RULES AS ADOPTED BY THE MONTHAIN ASTER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."
UMLESS GUECTED TO GO CALLED IN ON MOTION OF THE MOTIVARY WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-233, MOTIVARY CODE ARMOCRAED.)

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS ĦŦ 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: JULY 17, 1963
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RATE: THIS OMSTREAM RESERVOIR. **UOLUME:** 7.61 AF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION: LOT BLK GIR SEC SEC IMP RGE COUNTY MEANS 01 SESENE 30 28N 37E VALLEY DAM RESERVOIR: DIR SEC SEC IWP RGE COUNTY 01 DNSTREAM SESEME 30 28N 37E URLLEY * PLACE OF USE FOR WILDLIFE: BCRES LOT BLK OIR SEC SEC TWO RGE COUNTY SUSUNU 001 29 28N 37E UALLEY 29 28N 37E UALLEY 200 NUNUSU 29 28N 37E URLLEY SESENE 30 28N 37E URLLEY 003 REDORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS

RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95

PRELIMINARY DEDREE PAGE 3,098 HILK RIVER BELOW WHITEWHIEK CREEK INCLUDING PORCUPINE CREEK BRISTIN AND

RESTRACT OF WATER RIGHT CLAIR

WATERERIGHTENLINDEREGODE-W-077066-00x(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077065-00, W077066-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS EXMINATION OF THIS WATER RIGHT SLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF MO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CALIFIER RIGHT. IN THE MATTER OF THE DERBOOM DARIHAGE REA, 234 MONT. 343 (1980) CIME BEAN LAKE CASE) THE MONTHAN SUPPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH, ARO. WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DITTER CLAIMS IN THE BASIN. FOR EXHIBITE, COMPARED PRINCIPLY DATES, FLOW RATES, NOLLWES, OR ACRES IRRIGATED. ALSO, YOUR WHITE RIGHT HAY BE SUBJECT TO WHITE RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO THER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WHITE RIGHT HAY BE SUBJECT TO INDIAN RESERVED WHITE RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RETURNED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATIONARY DECREE AND NOTICE OF AVAILABILITY."

SEE CEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW OR FURTHER EXPLANATION OF "TOTAL" CHIEFO WHITE RIGHT. THESE FINDINGS CAME BEFORD AS INVOICED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANAILABILITY." IF YOU MED DOSDECTION FORTHS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WHITE COURT BY CALLING 1-BOD-56-320 (WITHIN MONIFAM DMLY) OR 1-AOG-586-384, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRTERgRIGHTgNUMBERg400g-W-077067-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR REMEMBED. AM ASTERISK (X) HAS BEEN PLACED MEXT TO EACH ITER CHAMBED BY THE DEPARTMENT OF MATURAN RESOURCES AND CONSERVATION (DWACE) DURING THE EXAMINATION PROCESS. THESE CHANGES REE PUTHORIZED BY THE MONTHMA WATER COURT OR THE WITTER RIGHT CLAIM EXPANIATION RULES AS MODITED BY THE MONTHMA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALMSHILTY."—
UNLESS GUSCIED TO DO CRILED IN ON MOTION OF THE MOTIVARN MATER COURT IN THIS CHARRES, THE ELEMENTS OF THIS CLAIRED WHER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 65-2-23), MOTIVATIONS COR ANNOTATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE SOURCE: UNIVAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIDRITY_DBIE: MAY 08, 1954
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THTS ONSTREAM RESERVOIR. UDLUME: 7 61 BF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT_DE_DIVERSION AND_MEANS_DE_DIVERSION: LOT BLK GIR SEC SEC TYP RGE COUNTY MEANS 01 S25WNW 34 28N 37F URLLEY DAM RESERVOIR: DIR SEC SEC IMP RGE COUNTY O1 DNSTREAM SZSWNW 34 28N 37E UALLEY RESERVOIR/LAKE NAME: TWO BUTTE RESERVOIR * PLACE DE USE FOR WILDLIEE: __BCRES___LDI_BLK__QIR_SEC__SEC__IMP_RGE_COUNTY_____ 001 525WNW 34 2BN 37E UALLEY REMARKS:

THE WATER RICHTS CISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE BAME RICHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES 100FS NOT INCREASE THE EXTENT OF

03/31/95 996F 3.100

PREI THINGRY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PURCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT ENUMBERE4001-W-077067-001(CONTINUED)

RENAKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (FURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77067-00, W077058-00.

THERE IS A JUESTION AS TO THE UNLIDITY OF THIS THE NET STATE THE NATION THE DEPENDENT OR THE SERVICE OF THE SERVI

A BETTER UNDERSTANDING OF YOUR CLATHED WATER RIGHT CAN BE OSTAINED BY COMPARING YOUR RIGHT WITH DIVER CLATMS IN THE BREIN. FOR EXAMPLE, COMPARE PRIDITIVE DATES, FLOW MATES, UCLUMES, OR ACRES INRIGATED. ALSO, YOUR WATER KICHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BRSITS OR WASBESTING SUBLICED SUBJECT TO CHIER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF MORILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHOTITLE OF BETHEV OF PRELITINIARY DECREE AND NOTICE OF ANALISALITY — IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHER COURT BY CALLING 1-800-524-3270 (WININ MONTANA DALY) OR 1-406-586-4584, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PAGE 3.101

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077068-00

IMPORTANT NOTICE

YOUR WATER RIGHT RE SHOWN ON THIS ABSTRACT MAY HAVE CLOSUES FROM YOUR WATER RIGHT AS A LIFED OR RETERIOR OF AN ASSECTISK C3 HAS BEEN PLACED MEXT TO RACH TIES HAVE A SECRET OF A MET OF A SECRET OF A

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUNILABILITY." UNLESS OBJECTED TO BE CALLED IN OH MOTION OF THE MONTANA WHERE COURT IN THIS CLAIMED WATER FILED THE ELECTION OF THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSE SECTION 85-2-233, MONTANDA CODE ANNOTATED.

PURPOSE_CUSE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SHREACE WATER

PRIORITY DATE: MAY OB, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UDLUME: .39 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

O1 S25WNW 34 20N 37E VALLEY DAM

RESERUDIR:

OTR SEC SEC TWP RGE COUNTY

O1 DHSTREAM S25WHW 34 28H 37E VALLEY

RESERVOIR/LAKE NAME: TWO BUTTE RESERVOIR

* PLACE_DE_USE_EDR_SIDCK :

___BCBES_____LDI_BLK__QIR_SEC__SEC__TYP__BGE_COUNTY_____

OO1 S2SWNW 34 ZBN 37E URLLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95

PRELIDIARRY DECREE PAGE 3,102 MILK RIVER BELOW WHITEWARER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077068-00s(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077067-00, W077068-00.

* THE ONCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASH FOR EXHIPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ROCKES IRRIGATED. ALSO, YOUR WATER RIGHT HAS SUBJECT TO WATER RIGHTS IN ADJOINING BASHS OR SUBBASINS OR SUBJECT TO THE RIGHT HAY BE SUBJECT TO INDIAN RESERVED HAVE FEBRUAR WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF FREI HINNARY DECREE AND NOTICE OF AUGUSTALITY." IF YOU NEED OBJECTION FORTS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-500-624-325 (VITHIN HONTIGH) ONLY OR 1-406-586-4354, OR BY WRITING TO P.D. SDX 879, BUZERNA NI 5977-10793.

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PRELIMINARY DECREE PAGE 3,103 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-G?7069-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAMADO OR AMENDED. AN ASTRAISK (2) MAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE OFFRATIENT OF MATURAL RESINERES AND CONSERVATION CONNECS DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AMAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHANA WARER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-235, MONTHAN CODE ANNOTATES)

59107

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS:

PD BOX 36900 MT

PURPOSE_EUSED: STOCK

UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE:

PRIDRITY DBIE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE.

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_ROTE: THIS ONSTREAM RESERVOIR.

-62 AF **UDLUME:**

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* PDINT OF DIVERSION AND MEANS DE DIVERSION:

LOT BUK OIR SEC SEC TWP RGE COUNTY MERNS.

01 SENVNW OR 28N 38E UALLEY DOM

RESERVOIR:

QTR. SEC SEC TWP RGE COUNTY.

O1 ONSTREAM SENUNU OB 28N 38E UALLEY

* PLACE_OF_USE_FOR_STOCK:

___BCRES_ LOT BLK OIR SEC SEC IMP RGE COUNTY

001 SZHUNU OB ZBN 38E UALLEY

REDARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077069-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077069-00, W077070-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BETTER UNDESTROUGHO OF YOUR CLEARLED WHIER KIGHT CHM BE UBTHARD BY COMPARAIN YOUR RIGHT WITH GITHER CLAIMS IN THE BRIAN. FOR EXAMPLE, COMPARE PRICKITY ONTES, FLOW RATES, UDURES, OR ACRES IRRIGATED. ALSO, YOUR WATER RICHT HAY BE SUBJECT TO WATER RICHTS IN ADJOINING BRISHS OR SUBBRISH OR SUELL AS BEING SUBJECT OF THE RICHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHTS ANY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILIBALITY."

SEE GEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAN FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIXMARY DEGREE AND NOTICE OF OGCHMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY GEGREE AND NOTICE UP AUGILABILITY." IF YOU NEED OBJECTION FORRS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-9270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. 80% 879, BOZEMAN HT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRICHTINUMBERIX400X-W-077070-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR MATER RIGHT AS CLAIMED OR AMENDED. HE ASTERISK (*2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTHENT OF MATURAL RESOURCES AND CONSERVATION CONCE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RUITHOUTED BY THE MONTHAM AFTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTHAM AFTER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILABBLITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTAIN WATER COURT IN THE SECRET, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL REPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROBSTRACT. (SEE SECTION 85-2-233, MONTAINS CODE ANNOTATES)

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 OWNERS: PURPOSE (USE): WILDLIFE SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UDLUME:** 6.38 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEGNS.... 01 SENVINU OB 28N 38E VALLEY RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM SENUNU OR 28N 38E VALLEY * PLACE OF USE FOR WILDLIEE: ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY 001 SZNUNU OB 28N 38E URLLEY REMORKS : THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3,106

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ARSTRACT DE WATER BIGHT CLAIM

WATER RIGHT HUMBER \$400 x - W-077070-001(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO7709-00. WO77070-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DHRC DURING ITS

E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESCUED IF MO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLINION RIGHT. IN THE MATTER OF THE CHARGHON DRAINAGE REA, 234 MONT, 343 (1980) (THE BEAM LAKE CASE) THE MONTHANS AUPREME COURT STATED. "IT IS LEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, HO APPROPRIATION RIGHT WAS RECOMMIZED FOR RECREATION, FISH AND WILCLIFF, EXCEPT THROUGH A RUMPHY WIGHT STRUTTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLRIMS IN THE BASIAN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR RICES TREIGHTEN. H.S.D., YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRSIMS OR SUBBASIAS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGILABILITY." IF YOU MEED OBJECTION FORRS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-000-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 80ZEMEN MT 55971-0079.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077071-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRICT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLATHED OR MICHODO. AN ASSERSKE KLY MAS SEEN FLACED MEXT TO FROM ITEM CHANGED BY THE DEPARTHENT OF MATURAL RESOURCES AND CONSERVATION (DNC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE HOWTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPRIME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."

UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLIRICD WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTHAN EQUE ANNOTATED.)

5	SHOWN ON	THIS F	BSTRACT	. CSEE	ECTION	85-2-2	93, MO	NTANA	CODE	TATOMAR	ED.)	
	OWNERS:		EPT OF	INTERIOR	BUREAU	OF LAN	D MGMT	כ				
	BILLI				MT	59107						
	PURPOSE_	URROSE_CUSE1: WILDLIFE										
SOURCE: UNMAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER												
	PRIDRITY_DBIE: JULY 28, 1937 TYPE OF HISTORICAL RIGHT: USE											
	ELDW_88I	ELDW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.										
	YOLUME: 6.95 AF											
	PERIOD_D	PERIOD_DE_USE: JANUARY OI TO DECEMBER 31										
I	POINT_DE	POINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION:										
		LOT BUK OIR SEC SEC IMP RGE COUNTY MEAUS										
	01			SUSENU	11 26	IN 38E U	ALLEY			DAM		
	RESERUDI	RESERUDIR:										
	OIR SEC SEC IMP RGE COUNTY											
	01 ONS	TREAM		SUSENU	11 26	38E W	ALLEY					
*	PLBCE_DE_USE_EOB_WILDLIEE:											
GCRESLOI_BLKOIR_SEC_SEC_IMP_RGE_COUNTY												
	001					WESEN	11	2BN	38E	VALLEY		
	REDORKS:											
		THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE										
	MU FO	MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF										

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03/31/95 PRGE 3,108

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077071-00g(CONTINUED)

REMARKS CONTINUED:

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* * ī * ī Ŧ THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077071-00, W077072-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REI UNRESOLUED IF NO OBJECTIONS ARE FILED. THESE ISSUES MAY REMAIN *

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REFA. 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANNA SUPREME COURT STRIED: "II SCLEAR THEREFORE THAT UNDER MONTANNA DEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILLIFE, EXCEPT THROUGH A MURPHY RIGHT STRUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, JUDIUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJUDITING BRSINS OR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY."

DEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARGE WATER CHICAT. THE FIRMING STATE CHIEF CHICAGO WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "MOTICE OF EMIRY OF PRELITIXINRY DECREE AND NOTICE OF RUNLINGSTITY." IT YOU MEED OBSECTION FORTS, OR HAUGE GUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-524-2270 (UITHIN MONTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879. SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

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> > 02/21/00

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLIMBERE4002-W-077072-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CLONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS SEEN PLACED NEXT TO EACH TIEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION COMECO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINA WATER COUNTY OR THE WATER RIGHT CLAIM EXAMINATION MULES AS ROOPTED BY THE MONTAINA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT UNLESS OBJECTED TO GET THEY OF PRELIMINARY DECREE AND MOTICE OF AUDILABILITY.—
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANN WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAMED WATER RIGHT WILL APPEAR IM THE FIRM DECREE
AS SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTANN CODE ANNOTATED.)

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 59107 PURPOSE (USE): STOCK UNHAMED TRIBUTARY OF BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. .40 AF UOLUME: PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY DEBUS 01 SWSERW 11 28N 38E URLLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM SWSERW 11 28H 38E VALLEY * PLACE_OF_USE_FOR_SIDCK: ___BCRES____LOI_BLK__QIR_SEC__SEC__IMP__RGE__COUNTY_____ 001 WESENW 11 28H 38E VALLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PRGE 3.110

PRELITIMENT DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077072-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOTTOTI-00. WOTTOTI-00.

THE CHRC EXPAINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT COM BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EMANUE, COMPARE PRIDETY DATES, FLOM RATES, UCQUINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BESINS OR SUBBRISTS OR WELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARRY DECREE AND MOTICE OF ANALIGABLITY."

SEE BEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RUALIABILITY." IF YOU WEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERISHTENUMBERE400x-W-077073-00

IMPORTANT NOTICE

YOUR WATER RIGHT OR SHOWN ON THIS RESTRICT MAY HAVE CHONGES FROM YOUR WITER RIGHT AS CLAIMED OR AMENDED. AM ASTREISK (2) HAS BEEN PLACED MEXT TO REPORT ITEM CHAMBED BY THE DEPARTMENT OF MATURE, RESQUECES NO CONSERVATION. (DWG) (DATING THE EXAMINATION PROCESS) THE STATEMENT OF MATURE CHAMBES ARE AUTHORIZED BY THE MONTHMY WITER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHMY AFTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHMY AFTER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF AUMILABILITY."
UNLESS OBJECTED TO OR CHILED IN ON MOTION OF THE NORTHAN MATTER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED MATTER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MESTRACT. (SEE SECTION 65-2-233, NORTHANA CODE ANNOTATE).

CORE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL REPEAR IN THE FINAL DECRE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.) DIMBERS, USA (OPPT OF INTERIOR BUREAU OF LAND MORT) PD 80X 36800 NT 59107

PURPOSE_CUSED: STOCK

SOURCE: UNINAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER

PRIDRITY DATE: FEBRUARY 28, 1948

TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS OMSTREAM RESERVOIR.

VOLUME: .40 RF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS

01 NUNWE 14 28N 3BE URLLEY DAM

RESERVOIR:

PIR_SEC_SEC_IMP_RGE_COUNTY_____

D1 DNSTREAM NAME 14 28M 38E VALLEY

PLACE OF USE FOR STOCK:

ACRES LDT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNWNE 14 29N 38E URLLEY

BEDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BIELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BESTIM 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4000x-V-077073-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO RITERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077073-00, WD77074-00.

THE DIRC EXMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING DE YOUR CLAIMED MATER RICHT CAM BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIRS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UNLUMES, OR ACKES IRRIGATED. R.SO., YOUR WATER RICHT MAY BE SUBJECT TO MATER RICHTS IN ADJUSTING BESINS OR SUBBRISH OR SHELL AS BEING SUBJECT OF THE RICHTS DU YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RICHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RICHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RICHTS.

COMPLETE DETAILS REGARDING THE OWNC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANALABRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "PROTICE OF ENTRY OF PRELININARY DETER AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OF CHANGES TO YOUR FIGHT. YOU CAN CONTRO! THE WATER COURT BY CRALING 1-800-624-3270 (WITHIN MONTHAM DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER SHELOW WHITEWITER CREEK INCLUDING PORCLIPINE CREEK MALK RIVER SHELOW WHITEWITER CREEK 1901

RESTRACT OF WATER RIGHT CLAIM

WATERERIGHT ENUMBERS 400 E-W-077074-00

IMPORTANT NOTICE

YOUR WATER RIGHT OF SHOWING IN THIS RESTRECT MAY HAVE DISSISS FROM YOUR WATER RIGHT MS LATRED OR MEETING. WE RESTREAM (4) MGS BEEF PLACED MEXT TO ENCY ITER CHANGED BY THE DEPARTMENT OF MITHING. RESOURCES AND CONSERVATION COMES, OURING THE EXPERIMENTION PROCESS. THESE CHANGES BY THE MITHING THE COURT OR THE WATER CHANGES AND CONSERVATION FOR MITHING THE COURT OR THE WATER RIGHT OR THE WATER COURT.

OBJECTIONS MAY BE FILED ACCOMMING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTIES OF ENTRY OF PRELIMINARY DECREE AND MOTIES OF AUGILABILITY. = UMLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIMAN MATER ACCOUNT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED MATER ATENT VILL APPEAR IN THE FINAL DECREE AS SMOOM ON THIS MOSTRACT. "SEE SECTION 85-2-233, MOTIFICAN CORREMANDATES."

DWNESS: USA (DEPT OF EXTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS RT. 59107 PURPOSE (USE): WILDLIFE SOLPCE: UNIVERSED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: FEBRUARY 28, 1948 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RATE: THIS ONSTREAM RESERVOIR. UDILLINE: 4.60 RF PERIDO DE USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY MERNS 01 NWHWHE 14 28N 38E VALLEY DAM RESERVOIR: _____OIR_SEC_SEC_IWP_RGE_COUNTY_____ C1 DNSTREAM NUNUNE 14 28H 38E URLLEY * PLOCE DE USE FOR WILDLIEE: __GERES___LOI BLK__QIR_SEC_SEC_IMP_RGE_COUNTY 001 NUMBER 14 288 38F URLLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUEREL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PRGE 3,114

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

MATERERIGHTENUMBERE4002-M-077074-00s(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WD77073-00, WD77074-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LAWRESOLVED IF MO DBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UNLIDITY OF THIS THERE IS M GUESTION AS 10 THE OMELDITY OF THIS CLARIMED RIGHT. IN THE MATTER OF THE DEREMON PORTHAGE REE, 234 MONT. 343 (1998) (THE BERL LIKE CASE) THE MONTAMA SUPERE COLURT STRIED: "IT IS D.C.BR THEREFORE THAT UNDER MONTAMA SUPERE COLURT STRIED." THE TO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING TO SHITE STORY THE CLAIMS IN THE BRISH. FOR EXHAULE, COMPARED ENGINEER CLAIRS IN THE BRISH. FOR EXHAULE, COMPARED ENGINE DATES, FLOW RATES, UCUTES, OR GREET EXIGATED. GLSD, YOUR WATER RIGHT HAV BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SULL AS BEING SUBLY TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAV BE SUBJECT TO INDIAN RESERVED BUT FEEDERS.

COMPLETE DETAILS REGARDING THE DIRE EXPRINATION RESULTS AND RELATED PATERIALS CAN BE RESIZED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GEMERA FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION ON YOUR CLARING WHER RIGHT, THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE THOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF EMERY OF PRELITINARY DECREE AND NOTICE OF EMERY CONCEPTIONS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES IN YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT BY CALLING 1-800-634-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-384, OR BY WRITING TO P.D. BOX 879, BOZEMAN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077075-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN DN THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) MAS BEEN PLACED THEN TO FAITHMEN, RESOURCES AND CONSEQUATION CONTROL DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COUNTY OF THE WATER RIGHT CLAIM ENGINEERING ROLLES AS ADDITED BY THE MONTHAM AFTER COUNTY OF THE WATER RIGHT CLAIM ENGINEERING RULLES AS ADDITED BY THE MONTHAM OF THE M SUPREME COURT

DEJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY." BULESS OBJECTED TO GO CALLED IN ON MOTION OF THE MOTINAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE & SHOWN NO THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANE CODE ANNOTATED.

USA COEPT OF INTERIOR BUREAU OF LAND MEMT) PO BOX 36800 BILLINGS 59107

PURPOSE_CUSED: WILDLIFE

UNNAMED TRIBUTARY OF MILLER COULEE SOURCE TYPE: SURFACE WATER * SOURCE :

PRIDRITY DATE: FEBRUARY 27, 1936
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELON_RATE:

7.97 AF **VOLUME** :

PERIOD DE USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK_QIR_SEC_SEC_TWP_RGE_COUNTY MEANS 01 SYNEMW 15 28H 38E URLLEY DAM

RESERVOIR:

DIR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWNERW 15 28N 38E VALLEY

* PLACE_DE_USE FOR VILOLIÉE :

ACRES ____LOI_BLK OIR SEC SEC INP RGE COUNTY

500

SENENW 15 28N 38E VALLEY 15 28N 38E VALLEY EZHUNU

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PAGE 3,116

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHTSNUMBERS4003-W-077075-003(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLITERNIE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077075-00, W077076-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESQUED IF NO BOLECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DERROUNN DRAINAGE REA, 234 MUNIT. 349 (1998) (THE BERN LAKE CASE) THE MATTH AND SUPPERE COURT STRIED. -II IS CLEAR THEREFORE THAT WHOSE ROTHAND SETONE 1973, NO APPORTANION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND RIGHT SECTOT EXCEPT INCOME A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DISTRINE BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, CUMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADDITINING ASSISTS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITAINING DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENITILED "NOTICE OF ENITY OF PRELIMINARY DECREE AND NOTICE OF RUBLIABILITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HONTRAM ONLY) OR 1-406-506-4364, OR BY WRITING TO P.O. BOX 679, BOZEDHA MT 55771-0779.

PRELIMINARY DECREE PAGE 3,117 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

OBSTRACT OF WATER RIGHT CLATM

WATERIRIGHTINUMBERIAGOR-W-077076-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRICK (2) HAS BEEN PLECED MEXT TO MEDIT ITEM CHANGES BY THE DEPARTMENT OF MATURAL RESUMEDES HAD CONSEQUENT (LORGE) DURING THE EXMINIATION PROCESS, THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE MATER RIGHT CLAIM EXAMINATION MILES AS ADDOTED BY THE MONTHAN BY SUPREME COURT -

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECRE AND MOTICE OF ANALYBRILITY."
UNLESS DBJECTED TO DE CALLED IN MOTION OF THE MOTIVARY ANALYBRICATION OF THE LEMENTS OF THIS CRIMED WATER KICH WILL APPEAR IN THE FIRAL DECREE AS SKOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTAND ADMINISTRACTS.)

USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 PURPOSE CUSE2: STOCK UNNAMED TRIBUTARY OF MILLER COULEE SOURCE TYPE: SURFACE WATER **■ SOURCE:** PRIORITY DATE: FEBRUARY 27, 1936
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. .62 AF UDLUME: PERIOD DE_USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS SUMENU 15 28N 38E URLLEY DAM 01 RESERVOIR: OTR SEC_SEC_TUP RGE_COUNTY_ O1 DHSTREAM SWHENW 15 28H 38E URLLEY * PLACE OF USE_FOR STOCK: ___OCRES LOT BLK OIR SEC SEC IMP RGE COUNTY ESHAWA SAMEMA 28N 38E VALLEY 001 õõŝ REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95

PRELIMINARY DECREE PROE 3,118 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK RACTY AGE RACTY ACC. BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE40DE-W-077076-00xCCONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077075-00, W077076-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETATHED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNLUMES, OR ADRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINING BASINS OR SUBBRISH AS WELL AS BETH SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDEAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RURALDRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DEFREE AND HOTICE OF ANALIABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRALING 1-BOO 664-32FO (WITHIN HOWTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MY 59771-0879.

PRELIMINARY DECREE PRILIMINARY DECREE MILK RIVER BELOW WHITEVARIER CREEK INCLUDING PORCUPINE CREEK MASIN 400 ABSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRITER*RIGHT*NUMBER*400*-W-077077-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBESS FROM YOUR WASTER RIGHT AS CLATHED OR ATHROND. AM ASTRICK C. 3 HAS BEEN CLATED OR THIS OF THE CHAMBED BY THE DEPARTMENT OF MURAL RESOURCES AND CONSERVATION CONRCI DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIABILITY." UNLESS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIRAN WATER COURT IN THE SECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTET: IT. CSE SECTION 45-2-23, MONTHAN COUR ANNOTATED.

DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DATE: SEPTEMBER 19, 1935
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE: UOLUME: .62 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY BEBNS 01 NUSUNU 15 28N 38E URLLEY DAM RESERVOIR: OTR SEC SEC IVE RGE COUNTY NWSWNW 15 28H 38E UALLEY O1 ONSTREAM * PLOCE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 100 54N4N4 15 28N 38E URLLEY REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PRGE 3,120

PRELIMINARY DECREE PROMITE RIVER BELOW WHITEVARER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077077-002(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO BLITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCOD WITH HISTORICAL PRACTICES. W077077-OO, W077078-00.

THE DNC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASEN. FOR EXAMPLE, COMPARE PRIGHTY DATES, FLOW RATES, UDLINES, OR GDES IRRIGATED. ALSO, YOUR WATER RIGHT NAY BE SUBJECT TO WATER RIGHTS ON ADJOINING BRISKS OR SUBBRISKS OF WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY FER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REJUSED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MOTOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTURBLITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS IMDICATED IN THE DOCUMENT ENTITLED - MOTICE OF ENTRY OF PRELIXINARY DECREE AND NOTICE OF AUGUSTALISTICS. IF YOU NEED GENERION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR KIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-664-3270 (WITHIN MONTANA DAY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 8079, BOZEMAN MT 5977-3675.

PRELIMINARY DECREE PAGE MILK RIVER BELOW WHITEWAIRE DEEPEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRITINUMBERX400x-W-077078-00

IMPORTANT NOTICE

YOUR WRITE RIGHT RE SHOWN ON THIS RESTRECT MAY MAVE CHOOSES FROM YOUR WATER RIGHT DOE OF MINDED MY RESTRICK 2.2 MAS BEEN MINDED MY TO ENCH LITER THE MINDED MY THE DEPORTS OF MEMBERS FROM DEPORTS OF MEMBERS FROM DEPORTS OF THE EMPIRICAL PROPERTY OF THE WATER WATER COURT OF THE WATER RIGHT CLRIM EMPIRAL PROPERTY OF THE WATER WATER STORM OF THE WATER WATER FROM THE WATER WATER WATER FROM THE WATER W

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILABILITY." UNLESS GRACIED TO OR CALLED IN ON NOTION OF THE MONTHAM WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS DESTRECT. (SEE SECTION BS-2-23). NOWTHAN CODE ENHOLISTICS

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE2: WILDLIFF SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: SEPTEMBER 19, 1935
TYPE OF HISTORICAL RIGHT: USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. UDLUME: B.59 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF BIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS. 01 NUSUNU 15 28N 38E URLLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NVSVNV 15 28N 38E VALLEY * PLACE DE USE EDR WILDLIFE ___OCRES____LDY_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY_____ 001 SWHUNU 28N 38E UALLEY NWSWNW 15 28H 38E UALLEY 005 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES MOT INCREASE THE

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03/31/95 PRGE 3,122

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-V-077078-OOE (CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077077-00, W077078-00.

THE FOLLOWING ISSUES HERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WHER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBOOM DRAINAGE REA, 234 MONT. 343 (198B) CTHE BEANLANE CASE) THE MONTHAM SUPERIE COURT STREED, "IT IS CLEAR THEREFORE THAT UNDER MONTHAM LAW BEFORE 1973, NO PPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION. FISH AND VILOLIFE, EXCEPT INFOLUCE A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ROLES INRIGHTS ALSO, YOUR WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DAMES EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILBALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF POULIARILITY. IF YOU NEED OBJECTION FORS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONIAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, BOZERAN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077079-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHEMES FROM YOUR WATER RIGHT AS CLAIMED OR RHENDED. AN ASSETISK (2) HAS BEEN PLACED HEXT TO EACH ITEM CHEMESE BY THE DEPARTMENT OF MATURE, RESDUCES AND EXPOSEMBLED HEX TO HAVE DURING THE MATTER AS THE WATER WATER AS THE MATTER WATER WATER AS THE MATTER WATER W

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THIS CLARE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. CSEE SCILION 65-2-233, MONTHAIN CODE ANNOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 BTI L TNGS 59107 PURPOSE (USE): WILDLIFE SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DBIE: MOVEMBER 26, 1935
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RATE: THIS ONSTREAM RESERVOIR. UDLUME: 7.60 AF PERIOD DE USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TAN ROE COUNTY DEBUS 01 SWSESE 17 28N 38E UALLEY DAM RESERVOIR: QIR_SEC_SEC_IMP_RGE_COUNTY_____ SWSESE 17 28N 38E URLLEY O1 ONSTREAM

OO1 REMARKS:

* PLACE OF USE FOR WILDLIFE:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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17 PAN 3AF VALLEY

ACRES LOT BLK QIR SEC SEC 1MP RGE COUNTY

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03/31/95 PAGE 3,124

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRISTA 400 ABSTRACT OF WATER RIGHT CLAIM

WRITERIRIGHT ENUMBER 24002 - W-077079-002 (CONTINUED)

REMARKS CONTINUED:

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• . EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077079-00. W077080-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXMINATION OF THIS WATER RIGHT LAIM. THESE ISSUES HAY REMAIN UNKESOLVED IF MO DBJECTIONS ARE FILED. z

THERE IS A QUESTION AS TO THE UPALIDITY OF THIS LATINED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAM LARE ORSE) THE MONTANA SUPPEME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH 640 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BETTER UNDESSTANDING OF YOUR CLAIMED WHIER READY LEAR E OBTHAND BY COMMITTEE OF THE PRINCIPLY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. HESO, YOUR WATER RIGHT HAY BE SUBJECT TO WHITER RIGHTS IN ADJOINING BRISHING OR SUBMISHING AS BELL AS BELL MESTERM SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLUMENT BRITISED "MOTICE OF ENTRY OF PRELITINARY DEFREI AND NOTICE OF AUAILBRITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WIFE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT CANCEL OF THE COURT OF T P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE PAGE 3,125 HILK RIVER BELOW WHITEWHER DREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTROAT OF WALLEY OF THE PROPERTY OF THE P

WATERERIGHTENUMBERE400x-W-077080-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHRISES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTRIKE (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONCEDURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OF THE WATER RIGHT CLAIM EXPANIANTION RULES AS ADOPTED BY THE MONTHAMA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

PI.	ESS OBJECTED TO BE CALLED IN ON MOTION OF THE MONTHAN WHER COURT IN THIS SERVING THE FIRM OF THE SERVING FIRE THE SERVING FOR THE FIRM OF THE SERVING FOR THE SERV								
	OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT)								
	BILLINGS MT 59107								
	PURPOSE_CUSE2: STOCK								
	SDURCE: UNMANED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER								
	PRIORITY_DRIE: NOVEMBER 26, 1935 TYPE OF HISTORICAL RIGHT: USE								
	ELOW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.								
	UDLUBE: .62 AF								
	PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31								
I	POINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION:								
	LOI BLK_QIR_SEC_SEC_IMP_RGE_COUNTYTEBUS								
	O1 SWSESE 17 28M 38E URLLEY DAM								
	BESERVOIR:								
	GIR SEC SEC TWP RGE COUNTY								
	O1 ONSTREAM SWEESE 17 28M 38E UALLEY								
*	PLACE_DE_USE_EDR_SIDCK+								
	BCRESLDI_BLKDIR_SECSECIMP_RGE_CDUMIY								
	OO1 SWSESE 17 28M 38E UALLEY								
	REDBRK5:								
	THE WATER RICHTS LISTED FOLLOWING THIS STATEMENT ARE								
	MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE								

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03/31/95 PAGE 3,126

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRIST 400

ARSTRACT OF MATER STEMT CLATH

WATERERIGHTENUMBERE400g-W-077080-00g(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE EXIENT OF THE WATER RIBHT, WHIMEN IT DELYCES INC. RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077079-00, W077089-00.

* THE DIRC EXPRINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTRUDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING A BETTER UNDESTINATION OF YOUR CLIPTED WATER RIGHT LAW BE OBTITING BY COMMALINATION FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW BRIES, UDLUTES, OR RORES TRIEDRED. MISSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS ON ADJUINING BRISING OR SUBMISSING ST SUBMISSING ST SUBMISSING ST SUBMISSING STATES AND THE RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY RESERVED MAY BE RIGHT MAY BE SUBJECT.

COMPLETE DETAILS REGARDING THE DARC EXMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELITHINARY DECRE AND MOTICE OF ANALMBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTITLE OF HEATY OF PRELIMINARY DETER AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTHMA DRAY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077081-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRICT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLATED OR AMENDED. AN ASTRIKK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (ONNEC) DURING THE EXPRIMATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RIBES AS ADOPTED BY THE NONTAMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY. = UMLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHMW MATER COUNT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINM, DECREE AS SANDAM ON THIS MOSTRACT. (SEE SECTION 85-2-233, MONTHAW CODE ARMOTATED.)

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS

MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNWAMED TRIBUTARY OF BRAZIL CREEK SDURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 28, 1937
TYPE OF MISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR. FLOW_RATE:

VOILUME: 1.63 AF

PERIOD DF_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TYP RGE COUNTY MEANS

01 SZSESW 18 28N 38E URLLEY DAM

RESERVOIR:

QIB_SEC_SEC_IMP_RGE_COUNTY_____

O1 ONSTREAM SZSESW 18 28N 3BE UALLEY

* PLACE OF USE FOR WILDLIFE:

BCRES LOT BLK OTR SEC SEC IVP RGE COUNTY

001 SZSESW 18 28H 38E URLLEY

BEDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT: THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PAGE 3.128

PRELINIMARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE4002-W-077081-00±(CONTINUED)

REPARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077081-00, W077082-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DHRC DURING ITS EXHIBITION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REMAIN UNRESOLUED IT NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLARICO RIGHT. IN THE MATTER OF THE DERREDORN DRAINAGE REA, 234 MONT. 343 (1988) CTHE BERN LANG CASE) THE MONTHMA SUPERIE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VALUELIE, EXCEPT THROUGH A MURRHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE CBTAINED BY COMPARING H BETTER UNDERSTRUING OF YOUR CLAIRS WHIER KIGHT CHR BUSHINES BY CUTTORING THE HEAT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, OULHES, OR ACRES IRRIGATED. HISO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBRISINS SHELL AS BEILE AS BUBLET TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED HOW FEERER WESTER DE MATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REFUSED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATIONARY DECREE AND MOTICE OF AWAILABLILIY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER MIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED DBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMMES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIM MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELITIMENT DECREE MILK RIVER BELDW WHITEWHITE CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WHITER RIGHT IL ATM

WATERERIGHTENUMBERE400x-W-077082-00

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT THAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (#) HAS BEEN PLACED MEXT TO EACH ITEM CHANNESCE BY THE DEPARTMENT OF HAURAL RESOURCES AND COMPSENATION CONCEDURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRIED BY THE MONTAMA SUPPREME COURT.

THPORTANT NOTTCE

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PREITINNEY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO DO CALLED IN MOTION OF THE MOTHAM BAIRE COURT IN THIS DECREE, THE ELERATS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE S SHOWN ON THIS ABSTRACT. (SEE SECTION 455-2-239, MOTHAM ADDE ARMOTATED.)

DMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 ATI I THES MT 59107 PURPOSE_(USE): STOCK SOURCE: UNHAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: SULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR. FLOW RATE: UDILUME: .62 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: MEANS LOI BLK OTR SEC SEC IMP RGE COUNTY 01 SESESW 18 28N 3BE URLLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 DMSTREAM SZSESW 18 28M 38E VALLEY * PLOCE DE USE FOR SIDCK: __BCRES___LOI_BLK__OIR_SEC._SEC_IMP_RGE_COUNTY____ 001 SZSESW 18 ZBN 38E URLLEY REMARK5:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PRGE 3,130

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERI400I-V-077082-001(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077081-00, W077082-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA. OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BETTER UNDERSTHAULIG VOUR CLAITED WHIER RIGHT HIS DEBINARD BY COMPREING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPREE PRIORITY DATES, FLOW RATES, UCLUMES, OR ROCRES IRRIGATED. RISI, YOUR WATER RIGHT MAY BE SUBJECT TO WHITER RIGHTS IN ADJUINING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WHITER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WHITER RIGHTS.

COMPLETE DETAILS REGARDING THE DINCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOOLINGHT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DEERER AND NOTICE OF AWAILABILITY." IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU COM CONTACT THE WATER COURT BY CALLING 1-800-624-3870 CWITHIN MOTHAN CHILY OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077083-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CLONGES FROM YOUR WATER RIGHT AS CHARGE OR AMENDED. AN ASSERVESK (2) HAS BEEN PLICED NEXT TO ENTIRE LITTER CHARGE BY THE DEPARTMENT OF MATURE, RESOURCES AND EDUSERVATION (OME) DURING THE WATER PROCESS. THESE CHARGES ARE AUTHORIZED BY THE MATER WATER WATER SIGHT CLAR FRANKRICH RULES AS ROOPTED BY THE MOTHAN WATER SUPPRING COUNTY OF THE MATER RIGHT CLAR EXMINATION RULES AS ROOPTED BY THE MOTHANG

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTION OF FRELINIMARY DECREE AND MOTION OF FREMINITY."

UNLESS OBJECTED TO GR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLORED WHITER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ARMOTATED.)

QUMERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PD BDX 36900
BILLINGS HT 59107

PURPOSE CUSED: WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UDLUME:

6.60 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS

NENESW 22 28N 38E VALLEY DAM

O1 RESERVOIR:

OTR SEC SEC_TWP RGE COUNTY...

01 ONSTREAM HENESW 22 28N 38E VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 168

* PLBCE_DE_USE_EDR_WILDLIEE:

--- OCRES LOI BLK DIR SEC SEC IMP RGE COUNTY

001 EZNESW 22 28N 38E VALLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95 PAGE 3,132

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

MOTERERIGHTENUMBERE400x-W-077083-001(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. -- W077083-00, W077084-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN IN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMAGE RAER, 234 MONT. 343 (1980) (THE BERN LAKE CASE) THE MONTANA COURT STREET. "II IS CLEAR THERFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPORTISION RIGHT WAS RECOGNIZED FOR RECREATION, "ISS AND WILLLIFE, EXCEPT THROUGH A MURPHY RIGHT STRUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DINER CLAIMS IN THE BASINI. FOR EXAMPLE, COMPARE PRIORITY OATES, FLOW ARTES, UDLUMES, OR GREES TREIGATED. ALSD. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWD AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED ——MOTICE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF AUGUSTITY.—

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHITLED "NOTICE OF ENTRY OF PRELITINARY DEFRE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1900-624-3270 (WITHIN MONTANA DRLY) OR 1-406-586-4364, OR BY WRITING TO D. BOX 873, BOZCHAM MY 5971-70879.

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PRFI THINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077084-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBLES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEP FLACED NEXT TO FACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONNEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DE PRELIMINARY DECREE AND MOTICE OF AUAILABILITY."
UNLESS OBJECTED TO DE CALLED IN ON MOTION OF THE MOTIMAN WATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS CABSTRACT. (SEE SECTION 85-2-233, MOTIMAR CODE ANNOTATEL)

USA COEPT OF INTERIOR BUREAU OF LAND MONTO OWNERS: PO BOX 36800

RTI L THES 59107

PURPOSE_CUSE3: STOCK

UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE :

PRIORITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RAIE:

THIS DASTREAM RESERVOIR.

UDLUME: .40 AF

PERTOO DE USE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGF COUNTY MERNS

O1 NENESW 22 28N 3BE URLLEY DAM

RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

NENESW 22 28N 38E UALLEY

RESERVOIR LAKE NAME: RESERVOIR NO. 168

* PLACE DE USE FOR STOCK:

___BCRES_ LDI BLK QIR SEC SEC IMP RGE COUNTY

901 E2NESW 22 28N 38E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBEREQUOE-W-077084-00%(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOT7083-00, WOT7084-00.

* THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, # DATA, OR ISSUES TO REPORT TO THE WATER COURT. #

A BETTER UNDERSTRADING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING OUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UGLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISINS OR SUBBRISIN SHELL AS BELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LIGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITATIONSY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER TIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WININ MONTANA DMLY) OR 1-406-506-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077085-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR MATER RIGHT AS CLATHED OR MEMORED. AM RESTRIKK (1) MAS BEEN PLACED HEXT TO EACH ITEM CHANNED BY THE DEPARTMENT OF MATUREN, RESOURCES AND CONSERVATION CONEY, DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MORTANA MATER COURT OR THE MATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MORTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIABILITY."

UNLESS DEJECTED TO DE CRALED IN ON MOTION OF THE MOTHANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RASTRACT. (SEE SECTION 85-2-233, MONTHANA CODE MANDIATED.)

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BCX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIORITY DATE: NOVEMBER 18, 1967 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. 2.60 AF UDLUME: PERIOD_OF_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC INP RGE COUNTY MEANS 01 W25ESW 23 28N 38E VALLEY DAM RESERVOIR: _____QIR_SEC_SEC_IMP_RGE_COUNTY___ O1 ONSTREAM WZSESW 23 28N 38E VALLEY * PLACE_DE_USE_EDR_WILDLIEE: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 U2SESV 23 2BN 3BE VALLEY REBARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/99 PRGE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077085-002(CONTINUED)

REMARKS CONTINUED:

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* * * EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCIDED WITH HISTORICAL PRACTICES. W077085-00, W077086-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE OWNER DURING ITS EXMULINATION OF THIS WHITE RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUDE IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CRIMED FIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANS DRAFFRE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANS LOUR FREEDING FOR RECERTION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATULE."

A BETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING POUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DIFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AMPLIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RMAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1800—284-3270 (WITHIN HOMENM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#MURBER#400#-W-077086-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) MAS BEEN PLACED MEXT TO BEEN ITEM CHANGED BY THE DEPARTMENT THE MITHER. RESUMPCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE NUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DEGREE AND MOTICE OF ANALMSILITY."—UNLESS DEVELOP TO OR CALLED IN ON MOTION OF THE MOTIVAND MATER COURT IN THIS DEGREE, THE ELEMENTS OF THIS CLARMED WHITER RIGHT WILL APPEAR IN THE FINAL DEGREE S SHOWN ON THIS BASTRACT. (SEE SECTION 85-2-23), MOTIVATION CODE ANNOTATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO 80X 36800 BILL THES MT 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF BRAZIL CREEK SOURCE : SOURCE TYPE: SURFACE WATER PRIDRITY DATE: NOVEMBER 18, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_RRIE : NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR. UDLUME : .40 RF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT_DE_DIVERSION_AND_DEANS_DE_DIVERSION: លា MASSESM 23 28N 38E DRILLEY DOM RESERVOIR: OIR SEC SEC IMP RGE COUNTY O1 DNSTREAM WZSESW 23 ZBN 3BE UALLEY * PLBCE_DE_USE_EDR_SIDCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 W25E5W 23 28N 38E UALLEY REMORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRILITINGRY DECREE HILK RIVER BELOW WHITEWHITE CREEK INCLUDING PORCUPINE CREEK BOSIN 600 BRITING THE TRUST I ATM

WATER#RIGHT#NUMBER#400#-W-077086-00#(CONTINUED)

PEMORKS CONTINUED.

EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO BLITERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. MO77085-TO., MO77086-TO.

* THE DIRC EXPILIATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WHIER COURT.

A BETTER UNDERSIANDING OF YOUR CLAIMED WATER RIGHT CHARG BY COMPREND OUR RIGHT VITH OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COMPREND CAPE, FLOW RATES, UDLURES, OR ACRES INVIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IM ADJUINING BRISHS OR SUBBASINS AS VELL AS BERING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED NATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTIFLED "MOTICE OF SHIRY OF PRELITAINARY DECRE AND MOTICE OF MALIBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT BRITILED WATER RIGHT. THEY OF PRELIMINARY DETERE AND NOTICE OF ANAILABILITY.* IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT HATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTAIT HE WATER COURT BY CALLING 1-BOD-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BON 897, BUZETHON HT 59771-0974.

03/31/95 PRELIMINARY DECREE PAGE 3,139 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400±-W-077087-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHRMGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED MEXT TO MENDED IN THE PROPERTY OF MATURIN. RESOURCES AND CONSERVATION (OWEC) DURING THE EXMINATION PROCESS. THESE CHAMES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAUM EXMINATION RULES AS ROOPTED BY THE MONTHAM WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE COCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CRILED IN ON MOTION OF THE MOTHANH WATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA COOR ENHOTATED.

	DEPT OF INTERIOR BUREAU OF LAND MGMT) (%6000 MT 59107
PURPOSE_(USE):	STOCK
SOURCE :	UNMAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER
PRIORITY_DelE:	JULY 25, 1970 TYPE OF MISTORICAL RIGHT: USE
ELOW_ROIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
YOLUTE:	. 4Q RF
PERIDO_DE_USE:	JANUARY O1 TO DECEMBER 31
POINI_DE_DIVER	SION_AND_MEANS_DE_DIVERSION:
	LOT BLK QIR SEC SEC TWP RGE COUNTY MERNS
01	NESWSW 24 28N 38E URLLEY DAM
RESERVOIR:	
	OIR_SEC_SEC_IMP_RGE_COUNTY
O1 ONSTREAM	NESWSW 24 28N 38E UALLEY
PLOCE_DE_USE_E	DR_SIQCK:
808	ESLDI_BLKOIR_SECSECIWPRGECOUNTY
001	NESWSW 24 28M 38E VALLEY
BEDBBK5,	
MULTIPLE	R RIGHTS LISTED FOLLOWING THIS STATEMENT ARE USES OF THE SAME RIGHT. THE USE OF THIS R SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE PAG MILK RIVER BELOW WHITEWATER CREEK INCLUDING PURCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077087-00g(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURD WITH HISTORICAL PRACTICES. WOT7087-00, WOT7089-00.

THE DURC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UCLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJOINING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MAXILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FIMDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WHITE COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 5977-10479.

PRELIMINARY DECREE PRICE PRICE

WATERERIGHT & NUMBER & 400% - W-077088-00

THORRIGHT MOTTEE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AM ASSELISK (2) MAS BEEN PLACED NEXT TO EARCH JIEM CHANGED BY THE DEPARTMENT OF MATURIN, RESOURCES AMO CONSERVATION (OMEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE NOTITIANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MOTTANA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALABILITY." UNLESS OBJECTED TO OR CRILED IN ON MOTION OF THE MOTIFMA WHER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WHER RIGHT WILL APPEAR IN THE FINAL DECREE SCHOOL ON THIS MOSTRACT. CSE SCHOOL OF MOTHERS OF RANDITHERS.

DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 BILLINGS 59107 NT. PURPOSE (USE): WILDLIFF UMMAMED TRIBUTARY OF BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DBIE: JULY 25, 1970
TYPE OF MISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR. FLOW RRIE 5.90 AF UOLUME: PERIOD DE_USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION BND MEANS OF DIVERSION : LOT BLK OTR SEC SEC TYP RGE COUNTY MEBNS Ωŝ NESWSW 24 28N 38E UALLEY DAM RESERVOIR: GIR SEC SEC TYP RGE COUNTY OI ONSTREAM NESWSW 24 28H 38E URLLEY * PLACE DE USE EDR WILDLIFE : BCRES TOT BER OIR SEC SEC IND BCE COUNTY NESUSU 24 28N 38E VALLEY 001 BEDBRKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400Ex-W-077088-00x(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLIEFRATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W07708-00, W07708-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS EXMITINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REPAIN LUMESQUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS LEATHER RIGHT. IN THE WATTER OF THE DEAMSON DRAINAGE REER, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTHAN SHOREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN SHOPE PER RECRETE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING N DEFINE UNLESS INTUINE UF YOUR CENTIFE WHITE KILGHI LIM DE USTAINED BY COMPREINE YOUR RIGHT VITH OTHER CLAIMS IN THE BRISH. FOR EXPRES, OF REFE STRIGHTED. RISH, YOUR WHITE RIGHT HAY BE SUBJECT TO WHITE RIGHTS IN HOJINITHE BRISHS OR SUBBISHS OF WELL HS BEING SUBJECT TO OTHER KIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WHITE RIGHT HAY BE SUBJECT TO INDIAN RESERVED HOM FEDERAL RESERVED WHITE RIGHT HAY BE SUBJECT TO INDIAN RESERVED HOM FEDERAL RESERVED WHITE RIGHT HAY BE

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANATIABILITY - IT YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT 1-800-56-3270 (WILLIAM DONIAMA DNLY) OR 1-406-586-386, OR BY WRITING 10 P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE PAGE 3,143 HILK RIVER BELOW WHITEWATER CHEEK INCLUDING PORCUPINE CREEK BASTM AND

ABSTRACT OF WATER RIGHT CLAIM

MATERIRITANUMBERS 4003-W-077089-CO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MINDED. AN MISTERSK (2) HAYS BEEN PLACED HEXT TO ENCH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEQUATION (ONC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MANTHAW WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAW SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF ANALMSHILITY."
UNLESS GOBLETED TO DE COLLED IN ON MOTION OF THE MOTIVARIA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS DESTRACT. (SEE SECTION 65-2-233, MOTIVATION CODE ARMOTATED.)

PO BOX 36800 BILLINGS ĦT 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER * PRIDRITY DOTE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. UOLUME: 5.60 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION:

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

LOI BLK QIR SEC SEC IMP RGE COUNTY MEANS SESESE 27 28M 38E VALLEY

01 RESERVOIR:

_____OIR_SEC_SEC_IMP_RGE_COUNTY_____

01 DNSTREAM SESESE 27 28N 38E VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 145

PLACE OF USE FOR WILDLIFE:

BCRES LOT BLK OTR SEC SEC TWP RGE COUNTY

001 SESE 27 28N 38E UALLEY

REDARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

MATERIRIGHTINUMBERIAGOIX-W-077089-00x(CONTINUED)

REMARKS CONTINUED.

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z ī × EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 9077089-00, 9077090-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS EXHIBITION OF THIS WATER RIGHT CLAIM. THESE ISSUES MRY REMAIN UNRESOLVED IT NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIRED AT UNESTION HE UT THE UNLIFE PROOF TO STANDE MEA. 23 HONT, 3.3 JR. BUT STANDED THE EBM LANG LONG THE MONTHMA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER ROTHTAMA LAW BEFORE 1973, NO APPORTATION PLONT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MILEPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DINER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW ARTES, UNLIMES, OR ACKES IRRIGHTED. ALSO, YOUR WATER RIGHT IM A BE SUBJECT TO WATER RIGHTS IM ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTERED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF MORLHOSTITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MIGHTLE OF ENTRY OF PRELIMINARY DEPCREE AND NOTICE OF AURILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1—900-624-3270 (WITHIN MONTAMA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELITINGRY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400 BASTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER::400:-W-077090-00

INPORTANT NOTICE

YOUR WRITER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBLES FROM YOUR WATER RIGHT AS CLATHED BE AMERICED AN ASTERISK (2) MAS BEEN PRICED NEXT MAD JUSTIA THE EXPANDATION PROCESS. THESE CHAMES ARE ASTERIZED WITE MONTHAN WHITE COURT OR THE WATER RIGHT CLAIM EXAMINATION ROLES AS MODIFIED BY THE MONTHAN BY EXPRENE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED *MOTICE OF ENTRY OF PRELIMINARY OCCREE AND MOTICE OF AUGILABILITY.= UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVARIA MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROSTRECT. (SEE SECTION 85-2-23), MOTHAN CODE ANNOTATES.)

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PO BOX 36800 BILLINGS 59107 MT PURPOSE CUSED: STOCK SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SDURCE TYPE: SURFACE WATER : PRIDRITY_DRIE: DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. -40 AF **UCLUME:** PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS DAM N1 SESESE 27 28N 38E UALLEY RESERVOIR: OTR SEC SEC TWP RGE COUNTY OI ONSTREAM SESESE 27 2BN 38E VALLEY RESERVOIR/LAKE NAME: RESERVOIR NO. 145 PLACE DE USE EDR SIDCK : ACRES LOT BLK OTR SEC SEC TYP RGE COUNTY 001 SESE 27 2BN 38E UALLEY REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PRGE 3.146

PRELIMINARY DECREE PAGE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077090-00x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOTTOS9-CO., WOTTOS9-CO.

* THE OMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * * DATA. OR ISSUES TO REPORT TO THE WATER COURT. *

A BETIER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRING AS WELL AS BETING SUBJECT TO OTHER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTAND DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,147 MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK PAGE 3,147 BRSIT MODEL OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077091-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSECURITION CONRC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

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	OWNERS:	USA CE	EPT OF	INTERIOR	BUREAU	OF LAND	MGMT)			
		BILLIN			MT	59107				
	PURPOSE	CUSE2:	WILDLIF	E						
	SOURCE			TRIBUTAR TYPE: SU			EK			
	PRIDRITY	DAIE:	JANUARY TYPE OF	2 31, 1939 HISTORIC	RL RIGH	IT: USE				
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PRELIMINARY DECREE PAGE 9,1 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077091-00E(CONTINUED)

REMARKS CONTINUED.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WHITER RIGHT. RRITHER IT DECREES THE EXTENT OF THE WHITER RIGHT TO ALLEWRATE AND EXCHANGE THE USE CUPPOSES OF THE WHITER IN ACCORD WITH HISTORICAL PRACTICES.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMAGE AREA, 234 MONT, 343 (1988) (THE BERN LAKE CASE) THE MONTAMAS USPERE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAMA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY FISH STATUTE."

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT CAN DE OBTRINED BY COMPARINE VOUR RIGHT WITH OTHER CLAIMS IN THE BASH. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, LOUWES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRISING OR SUBBRISING SHELL AS BELL AS BEING SUBJECT TO DITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAITHED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGUSTALIAN FOR THE OFFICE OF THE OFFICE OF

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PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 9,149 9ASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002-W-077092-00

REMARKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERRISK (22) MAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MITURAL RESOURCES AND COMPSERATION COMECD DURING THE WATER RIGHT CLAIM EXAMINATION RULES AS ROQUED BY THE MONTHAM WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ROQUED BY THE MONTHAM SUPREME COURT.

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	SOURCE		UNNAMED SOURCE 1				REEK				
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	ELDW_R8I	E:	NO FLOW THIS ON				FOR T	HIS US	E FROM		
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	POINT_DE	DIVER	SION_AND.	DEANS_DE	DIVER	SION:					
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	200					EZHESE		28N	38E UA	LLEY	

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PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHTSNUMBERS 4003 - W-077092-00x(CONTINUED)

REFIREKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEUCRAP, PURPOSES DOES MOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCOUNT WITH HISTORICAL PRACTICES.

* THE DWRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, ONLUMES, OR ACKES IRRIGHTE. M. ROS, YOUR WATER RIGHT AM 9E SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SQUREC OF SUBPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE OPFICE LICATIONS INCHIEFIED IN THE DOCUMENT ENTITLED "MODICE OF ANY OF PRELIMINARY DECREE AND NOTICE OF AUXILIARILITY."

SEE SEMERAL FINDINGS OF FACT AND CONCUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MILE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 89, BOZETHAN NT 5977-10879.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT SHUMBERS 4002-W-077093-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED ON AMENDED. AN ASTRAISK (2) HAS BEEN PLACED NEXT ID HEN'TIME CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES MOD CHANGEWATION FORCE) DURING THE EMPRINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER COUNT OF THE WATER RIGHT CLAIM EMPRIMATION MILES AS POUPTED BY THE MONTHMA WATER SUPREME COLURY.

DEJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DE PRELITIMARY DEDGE AND MOTICE OF AUGIL REBLITY."
UNLESS DBJECTED TO OF CALLED IN ON MOTION OF THE MOTIFIAH WATER COURT IN THIS CLERE, THE ELEMENTS OF THIS CLEREN WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MOTIFIAH COUR ANNOTATE).

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE CUSED: STOCK UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE : SOURCE TYPE: SURFACE WATER PRIDRITY_DBIE: HOUEMBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME : .40 AF PERIOD OF LISE: JANUARY OL TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC THE RGE COUNTY MEANS 01 SESESE 33 28N 38E URLLEY DAM RESERUBIR: OTR SEC SEC TWP RGE COUNTY 01 DNSTREAM SESESE 33 28N 38E VALLEY * PLOCE DE USE FOR STOCK+ ACRES LCI BLK GIR SEC SEC IMP RGE COUNTY 001 SESESE 33 28N 38E VALLEY

REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE HILK RIVER BELDW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BOSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT #HUMBER # 400 # - W-077093-00 # (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077099-00. W077094-00.

THE DIREC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

INTERNITY OF THE PROPERTY OF T

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARED PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS DAY YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDER RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WHOTICE DE FATRY OF PRELITIANRY DECREE AND MOTICE OF RAVIAL REALIST."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIGINARY DETEC ENTER AND NOTICE OF ANALIAGILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTAINS DILY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MIS 5971-70879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BASTN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077094-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (OWNER) DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANN WATER COURT OR THE WATER RIGHT CLAIM EXPANIANTION RULES AS ADDOTED BY THE MONTANN AFTER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AMBLITABILITY."
UNLESS OBJECTED TO GO CALLED IN ON MOTION OF THE MOTIFMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. USES SECTION 85-2-233, MOTIFMAN COOR AMMOTHER) DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS WT 59107 PURPOSE (USE): WILDLIFE SOURCE : UNMAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: NOVEMBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: 2.60 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY DEBUS 01 SESESE 33 28M 38E VALLEY DRM RESERVOIR : OIR_SEC_SEC_TWP_RGE_COUNTY_____ SESESE 33 28N 38E VALLEY O1 OMSTREAM * PLACE_DF_USE_FOR_WILDLIFE: OCRES LOT BLK QIR SEC SEC IMP RGE COUNTY 001 SESESE 33 28N 38E VALLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE FILK RIVER BELOW WHITEWRIPE CKEEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077094-00g(CONTINUED)

REMARKS CONTINUED:

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ī 1 EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077093-00, W077094-00.

THE FULLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS EXHUTION OF THIS WHITE RIGHT CLAIM. THESE ISSUES MAY REMAIN UNKESOLUED IF MO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS INCRC 15 H QUESTAUR NS TO THE UNRIDITY OF THIS CLAIMED RIGHT. IN THE HATTER OF THE CERRORH DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTAHAN SUPERFECTURE I STATED. "IT IS CLEAR THEREFORE THAT LUNGER MONTAHAN LAW BEFORE 1973, MO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER LINDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING H BETTER UMDERSTRADING OF YOUR CLAIMED WATER KIGHT CAN BE DUTATINED BY COMPAKING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY OHTS, FLOW RATES, OR AGRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS SUBJECT SO WATER RIGHTS WAS SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WAS TERRIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED. FINDICE OF ENTRY OF PRELIMBARY DECREE AND NOTICE OF AUAILABILITY. IF YOU NEED GENEROL FORMS, OR HAVE GESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES 10 YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1800-624-3270 (WITHIN MONTAM) MONLY) OR 1-406-586-3840, OR BY WRITING 10 P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PRGE 3.155

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400E-W-077095-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT THAY HAVE CHEMES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLAED NEXT ID EACH ITEN HAMBED BY THE DEPARTMENT OF MATURAN, RESOURCES AND COMPSERVATION (CDMC) DUZING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHM WHER COUNTY OF THE WATER RIGHT CLAIM EXMINATION RULES AS ADOPTED BY THE MONTHM AND THE MONTHM OF THE MONTHM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIAGILITY." UNLESS OBJECTED TO DO CRILED IN ON MOTION OF THE MOTHAM MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IM THE FINAL DECREE

AS,	SHOWN ON	THIS	ABSTRACT	. (SEE S	ECTION	85-2-23), NO	ITRNA I	CODE	PHINOTATE	D.)
	OWNERS:		DEPT OF 1 X 36800	INTERIOR	BUREAU	OF LAND	MGHT:)			
		BILLI			HT	59107					
	PURPOSE_	CUSE):	WILDLIF	E							
	SOURCE :			TRIBUTA TYPE: SI		ETTLE BRI PATER	AZIL 1	CREEK			
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	001					SZNV	34	2BN	38E	URLLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THIS SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER KREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077095-00g(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO BLITEMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077095-00, W077096-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWAR DURING ITS 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2 LIMPESCHOED IF NO DOLECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINGE AREA, 234 MONT. 343 (1985) (THE BERN LAKE CASE) THE MONTANA SUPPERE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT INFOLOR A MURPHY RIGHT STRUTE."

A BETTER UNDERSTRANDING OF YOUR CLAIMED WATER RIGHT COM BE DETAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BRISH. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, UR ACRES IRRIGATED. M.S.D. YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISHS OR SUBPRISHS AS WELL AS BEING SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RICHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWKC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECKEE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03-31/95 PRELIMINARY DECREE PAGE 3,157 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN ADDRESS OF WATER RIGHT CLAIM

WATERERISHTENUMBERE4002-W-077096-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHRONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHARGED BY THE CEPARTHENT OF MATUREAL RESOURCES HOW COMPENDENTIAL OWNER) DUTTING THE EXPRIMENTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM AFTER COUNTY OF THE WATER RIGHT CLAIR EXPANIMATION RULES AS ADOPTED BY THE MONTHAM OF SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "ENTRY OF PRESENTIARY DECREE AND MOTICE OF AWAILABILITY UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTAWA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FIRM CALINED WATER RIGHT VILL APPEAR IN THE FIRM OF

SHOWN DIN	THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
DYNERS:	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800
	BILLINGS MT 59107
PURPOSE_	CUSE2: STOCK
SOURCE :	UNMAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER
PRIDRITY	DBIE: JULY 22, 1970 TYPE OF HISTORICAL RIGHT: USE
EFOA-BBI	E: NO FLOW RATE MAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
YOLUME:	.40 AF
PERIOD_D	E_USE: JANUARY 01 TO DECEMBER 31
POINT_DE	_DIVERSION_AND_MEANS_DE_DIVERSION:
	LDI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTYMEBNS
01	SEMMMW 34 28M 38E VALLEY DAM/PIT
RESERVOI	B:
	OIR_SEC_SEC_IMP_RGE_COUNTY
01 DNS	TREAM SENUNU 34 28N 38E VALLEY
PLBCE_DE	_USE_EOR_SIOCK:
	BCRESLOI_BLKOIR_SEC_SEC_IMP_RGE_COUNTY
001	SESUNU 34 EBN 3BE UALLEY
REDORKS:	
mu	E WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE LIIPLE USES OF THE SAME RIGHT. THE USE OF THIS GHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03-31/95
PRELIMINARY DECREE
NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCEPINE CREEK
BRISH 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIENTEN LINEERE 4000x-W-077096-00x (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO PALTERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. MO77095-00.

THE UNCERPRIMETION OF THIS CLAIM FOUND ON SIGNIFICANT FACTS, I DATA, OR ISSUES TO REPORT TO THE MATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PROBLITY DATES, FLOW RATES, DOLLAMES, OR ROFES INSTIGATED. ALSO, YOUR WATER RIGHT IN ADJUSTMING BRISHS OR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DINCE EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE OFFICE LIGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTITE OF ENTITY OF PRELITINARY DECREE AND INDICATED IN THE WASTE ROSE OF CHARGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MOTION DAY) OR 1-406-586-4364, OR BY WRITING TO

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK RSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT ENUMBERS 4002-W-077097-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHENGES FROM YOUR WATER RIGHT AS CLAIMED OR RHENDED. AN ASTRISK (2) HAS BEEN PLAYED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HATURAL RESOUNCES AND CORRESPONDTION CONNECT DURING THE EXPMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIN EXAMINATION RULES AS ADOPTED BY THE MONTAKA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABBLITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENIS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE RESIDIATION THIS RESTRICT. (SEE SECTION 485-2-233, MOTHANA CODE ANNOTATE).

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800 BILLINGS 59107 PURPOSE_CUSE: STOCK SOURCE : UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 23, 1970
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RRTE: THIS ONSTREAM RESERVOTE. UULLIME : .40 RF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT_OF_DIVERSION_BND_MEBNS_OF_DIVERSION+ LDI BLK GIR SEC SEC TYP RGE COUNTY MEBNS 01 SENESE 35 28N 3BE URLLEY PIT RESERVOIR: QIR SEC SEC IMP RGE COUNTY SENESE 35 28N 38E VALLEY O1 DNSTREAM * PLACE_DE_USE_EDR_SIDCK: OCRES LDI BLK QIR SEC SEC IMP BGE COUNTY 001 SEMESE 35 28N 38E VALLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE

MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER::400:-V-077097-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077097-DO, W077098-DO.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES TRIBATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REFUEDED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "WOULDED FRITTY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE MATER COURT BY CALLING 1—BOO-624-3270 (WITHIN NONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCLIPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077098-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASPERISK (2.3) MAS BEEN PLACED MEXT TO ENCH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (ONC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OF THE WATER RIGHT CLAIM EXMINATION RULES AS ROOPTED BY THE WATER RIGHT CLAIM EXMINATION RULES AS ROOPTED BY THE WATER RIGHT CLAIM EXMINATION RULES AS ROOPTED BY THE WATER RIGHT CLAIM. SUPPENE COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT INTITLED "MOITE OF ENTERY OF PRELIMINARY DECREE AND MOITE OF CHARLABILITY."

LINLESS BUBECTED TO OR CALLED IN ON MOITON OF THE MONTANA WATER COURT IN THIS CHARGE WATER REGION VILL APPEAR IN THE FINAL DECREE
S SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MONTAND REGION ENMONATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU DE LAND MONT) PO BOX 36800 59107 PURPOSE (USE): WILDLIFE SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 23, 1970
TYPE OF HISTORICAL RIGHT: USE **FLOW RATE:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. **VOLUME:** 1.60 RF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY _MEANS_ 01 SENESE 35 28M 38E VALLEY PIT RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM SENESE 35 28M 38E VALLEY * PLACE OF USE FOR WILDLIFE: ACRES LOT BLK OTR SEC SEC IMP RGE COUNTY 001 SENESE 35 28N 38E VALLEY

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT - THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

REMARKS:

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4082-W-077098-002(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77097-00. WO77098-00.

THE FOLLOWING ISSUES WERE DENTIFIED BY THE DURC DURRING ITS 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2 UNRESULUED IF NO BUSICTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERABORN DRAINAGE AREA, 234 MONT 343 (1980) (THE BEAN LAKE CASE) THE MONTAHA SUPPRIE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER HONTAHA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING DF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIVER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UGLUMES, OR ACRES IRRIGATED. RISD, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED HAY FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED PROTICE OF ENTRY OF PRELITINARY DEFREINTHEN DOTICE OF ANATIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0679.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077099-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONKEL) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COUNT OR THE WATER RIGHT CLAIR EXMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUMILABILITY." UNLESS OBJECTED TO OR CALLED IN GA MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLIENZO WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRICT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
DYNUERS: USA (DEPT OF INTERIOR BUREAU OF LAMO MGMT) PO 80X 36800 HT 59107
PURPOSE_[USE]: WILDLIFE
SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER
PRIDRITY_DATE: JULY 24, 1970 TYPE OF HISTORICAL RIGHT: USE
FLOW RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
UDLUME: 1.60 AF
PERIOD DE USE: JANUARY O1 TO DECEMBER 31
* POINI_DE_DIVERSION_AND_MEANS_DE_DIVERSION:
TOT BIR OIR SEC SEC ING BGE COUNTY REARS
O1 S2NWNE 35 2BN 3BE VALLEY PIT
RESERVOIR:
OIR_SEC_SEC_IMP_RGE_COUNTY
01 DNSTREAM SENUME 35 28M 38E URLLEY
* PLOCE_DE_USE_FOR_WILDLIFE:
ACRESLOI_BLKQIB_SECSECIWP_BGE_COUNTY
OO1 SENWNE 35 28N 38E VRLLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELITINARY DECREE PAGE 3, MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077099-00E(CONTINUES)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLITERWATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077099-00, W077100-00.

THE FOLLOWING ISSUES WERE DENTIFIED BY THE DWRC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LIMPESOLUED IF NO BRJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERHEDON DRAIMAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPERHE COURT STATED! "II IS LICAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURRHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BESTM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITE RIGHTS IN ADJININING BASINS OR SUBBRSINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGREDING THE DIRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUPLIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLE MOTICE OF ENTRY OF PRELIGINARY DECREE AND MOTICE OF ANAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROBECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 8026ABM AT 55971-70879.

PRELIMINARY DECRSE MILK RIVER BELOW WHITEWITER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

RESTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077100-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ASSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTRISK (%) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURA, RESOURCES AND CONSERVATION COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE MATER RIGHT CLAIM EXAMINATION RILES AS ADDPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO DID CHILLED IN ON MOTION OF THE MOTINAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAGMAND HILLS ABSTRACT. SEE SCICION 85-2-239, MOTHANA CODE ARMORITED.

DMMERS: USA (DEPT OF INTERIOR BUREAU DF LAND MGHT) PO BOX 36800 BILLINGS 59107 MT PURPOSE (USE): STOCK UNMAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DRIE: JULY 24, 1970
TYPE OF MISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RRIE: THIS DISTREAM RESERVOIR **UDLUME:** . 40 RF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION : LOT BLK QIR SEC SEC INP RGE COUNTY NEBUS 01 SENVINE 35 28M 38E VALLEY PIT RESERVOIR: _____QIR_SEC_SEC_IMP_RGE_COUNTY_____ Q1 ONSTREAM SZNWNE 35 ZBM 38E VALLEY * PLACE OF USE FOR_SIDCK : ACRES_____ LOT BLK__QIR_SEC_SEC_TVP_RGE_COUNTY_____ 001 SZNUNE 35 28N 3BE VALLEY REDORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES MOT INCREASE THE

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PRELITINGRY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLIDING PORCUPINE CREEK BRSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077100-00x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLITZEMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077099-00, W077100-00.

* THE DARK EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER MODESTANDING OF YOUR CLATED MATER RIGHT CAM BE DETAINED BY COMPARING TOWNS AND WITH OTHER CLATES IN HE BASIN. FOR EXAMPLE, COMPARE PRIGHTY DATES, FLOW RATES, URLUMES, OR ACCES TREIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BESINS OR SUBBASINS AND ELL AS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRETITATINGY DEFREE AND NOTICE OF REVIEW RESILTY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BY AND THE PROPERTY OF PRELIMINARY DETECTED AND THE OWN THE OF SHAPE QUEEKE AND NOTICE OF SHAPE QUEEKE AND NOTICE OF SHAPE QUEEKE AND THE OWN THE OW

PRELIMINARY DECREE PAGE 3

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002-W-077101-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE DENGES FROM YOUR WATER RIGHT AS CALLED DR AMENOED. AN RESTRICK (2) HAS BEEN PLACED HEXT TO ENCIT IT THE RESTRICT PROPERTY OF WATER HEXT WAY. RESOLUTIONED SHOW DESCRIPTION CONC.) DUCING THE RESTRICT BY THE MONTHAM WHITE COURT OR THE WATER RIGHT CALL EXAMINATION RULES AS POPPIED BY THE MONTHAM WHITE SUPPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT THAT THE PROTECTION OF THE PROCEDURES OF MAILED OF MAINTAIN THE DOCUMENT UNLESS GREETED TO DO CALLED IN MOTTOM OF THE MOTHAN MATER COURT IN THE PROCEDER; THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL MAPER IN THE FINAL DECREE AS SANDM ON THIS RESTRACT. (SEE SECTION BS-2-23), MOTHANG CODE RENDOTATED.

DIMERS: USA (DEPT OF INTERIOR BUREAU DF LAND MONT)
PO BOX 36800
BILLINGS NT 59107 PURPOSE (USE2: WILDLIFE UNINAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DRIE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR UDLUME: 1.60 RF PERIOD DE USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: NUNUSU 35 28N 38E URLLEY 01 DAMPIT RESERVOIR: _____OIR_SEC_SEC_IMP_RGE_COUNTY_____ 01 ONSTREAM HUNNSW 35 28N 38E VALLEY * PLACE OF USE EOR WILDLIEE __OCRES __LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY_ 200 NWNWSW 35 28N 38E VALLEY REDORES: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELINIMARY DECREE PAG PILK RIVER BELOW WHITEWATER DEEK INCLUDING PURCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT #NUMBER: 400: - W-077101-00: (CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77101-00, W077102-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWARD DURING ITS

E EXHIBATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

I INFECTIOUS IF MO SECTIONS ARE FILED.

THERE IS A GUSSION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 383 (1988) (THE BERN LAKE CASE) THE MUNTARMA SUPREME COURT STATED: "IT IS LIEAR THEREFORE THAT UNDER MONTHAM AND BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFF, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER LINDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR SIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW ARTES. UPLLUMES, OR ACKES IRRIGHTED. BLOS. YOUR WATER RIGHT HAY BE SUBJECT TO WHER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS. ON YOUR SURGE OF SUPPLY. FINALLY, YOUR WATER RIGHT AND BE SUBJECT TO TOMOR RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTIES OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY.

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY: " IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANH ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802EMB NT 59771-0879.

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTENLINBERE4001-W-077102-00

IMPORTANT NOTTCE

YOUR WRITE RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLETED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (DWRC) DURING THE EMATURAL PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTHAM ANTER COURT OF THE WATER RIGHT CLAIR EMATINATION RULES AS ADDOTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABLITY. = UNLESS DECTED TO OR CALLED IN ON NOTION OF THE MOTHAN WATER COURT IN THIS DECPRE, THE ELEMENTS OF THIS CLIENTED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MASTRICT. (SEE SECTION 85-2-23, MONTANE COUR AMMOTRATE.)

DWIERS: USA COEPT OF INTERIOR BURERU OF LAND MONT) PO BOX 36800 BILLINGS ĦΤ 59107

PURPOSE CLUSE: : STOCK

SDURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK SOURCE TYPE: SURFACE WATER

PRIDRITY DOTE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW_RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS UNSTREAM RESERVOIR.

UOLUME: .40 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

01 NUNUSW 35 28N 38E UALLEY DAM/PIT

_____OIR_SEC_SEC_IMP_RGE_COUNTY_____

01 DNSTREAM NUNUSU 35 28H 3BF UALLEY

* PLACE OF USE FOR STOCK+

BCRES LOI BLK DIR SEC SEC IMP RGE COUNTY

001 NUNUSU 35 28N 38E VALLEY

EEDBRKS .

RESERVOIR :

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

J 17

03/31/95

PRELIMINARY DECREE PRELIMINARY DECREE PRILIMINARY D ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT EMUMBERS 4005-W-077102-005 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77101-00, W077102-00.

* THE DWACE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BEITE UNDERSTRADING OF YOUR CLAIMED WATER RIGHT COM BE UBITATED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN - FOR EXAMILE, COMPARE PRIDEITY DATES, FIDM BATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITER RIGHTS IN ACOUNTING BASINGS OR SUBBRISTS AS WELL AS BEING SUBJECT TO CHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO TO THEM RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODITE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUXILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTITY OF PRELIMINARY DECREE AND NOTICE OF ROUTING AND THE OWNER OF THE OWNER OWNER OF THE OWNER OWNER

PACLININARY DECREE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 4000 BASTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002-V-077105-00

IMPORTANT NUTTICE

YOUR WITE RIDHT AS SHOWN ON THIS RESTRACT MAY MAKE CHOOSES FROM YOUR WATER RIGHT TO LATTED DR AMENOED. IN ASTERISK LES MAKE BEEN RIGCO NEXT TO ERCHITCH CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION COMED UNITIES THE EMAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHAMA WATER SUPPRIE COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIONARY DECREE AND MOTICE OF AVAILABILITY."
LAMLESS OBJECTED TO OR CHILED IN ON MOTION OF THE MOTIMAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRECT. (SEE SECTION BESE-2-23), MONTHAN CODE ARMOGRATED.

OWNES: USA (DEPT OF INTERIOR BUREAU OF LAND MONT)
PO BOX 36800 BILLINGS 59107 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK SOURCE TYPE: SURFACE MATER PRIORITY_DATE: NOVEMBER 24, 1961 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS ONSTREAM RESERVOIR -UOLUMF: .62 AF PERIOD OF LISE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS NUMBER 13 29N 35E URLLEY DAM 01 RESERVOIR : OTR SEC SEC TWP_RGE_COUNTY____ OI DISTREAM NUNUNE 13 29N 35E URLLEY * PLACE OF USE FOR SIDCK+ ACRES LOT BLK OIR SEC SEC IVE RGE COUNTY 001 NUNUNE 13 29N 35F URLLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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93/31/95 PRELIMINARY DECREE 93/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIM 400

BASIN 400 RESTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077105-001(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PUMPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077105-00, W077106-00.

THE DWG EXMINATION OF THIS CLAIR FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO MEPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BELIER WATERS HERDLING OF YOUR CLAIMED WHITE RELATE LATE OUR HIGH VIEW OF THE CLAIMS IN THE BASIN. FOR EXHMPLE, COMPANDE PRIDRITY DATES, FLOW RRIES, UCLIUMES, OR RICES INVIDENCE OF SUBBASINS OF SUBLICE TO OTHER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WHITE RIGHT MAY BE SUBJECT TO INDIAN RESERVED HOW FEEDERS, RESERVED WHITE RIGHTS OF SUBJECT OF SUBBASINS OF SUBJECT TO INDIAN RESERVED HOW FEEDERS, RESERVED WHITE RIGHTS OF SUBBASINS OF S

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LIGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MITTIED FAIRN OF PRELITINARY DECKE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICEATED IN THE DOCUMENT BUTILED "FOUTICE OF REHAVE OF PRILITIMENTY DETER BOTTLE OF AUAILABILITY." IF YOU NEED DBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR IGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 374. BOZFARM MT 56371-0079 P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUFINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT INLINEER # 400 # - W-077106-00

IMPORTANT NOTICE

YOUR WHER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMBED. AN ASTERISK (1) HAS BEEN PLACED MEXT TO EACH TIEN CHANGES BY THE DEPARTMENT OF MATUREN, RESOURCES AND CONSERVATION (OWNE) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHMA SUPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MNOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DEL

EI	REE. THE	TED TO DR CA ELEMENTS OF THIS ABSTRAC	THIS CLAIMED	WATER RIE	HT WILL	APPEAR IN	I THE FINA	L DECREE				
	DWMERS:	USA (DEPT OF		REAU OF LA	ND NGMT)						
		PG BOX 36800 BILLINGS	Ħ.	5910	17							
	PURPOSE_CLISE2: WILDLIFE											
	SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, MORTH FORK SOURCE TYPE: SURFACE WATER											
	PRIDRITY_Date: NOVEMBER 24, 1961 TYPE OF HISTORICAL RIGHT: USE											
	ELOV.BATE: MO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.											
	VOLUME:		.38 AF									
	SERIOD DE	E_USE: JANUAR	Y O1 TO DECE	MBER 31								
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		LOI_BLE	QIR_SEC_SE	C_IWP_RGE.	CDURIX_		_DEBNS					
	01		NUNUNE 1	3 29N 35E	URLLEY		DAM					
	RESERVOI	B :										
			GIR_SEC_SE	C_IMB_RGE	CDUNIY_							
	01 0NS	TREAM	NUNUNE 1	3 29N 3SE	UALLEY							
×	PLOCE_DE.	USE_EDR_VILL	LIEE:									
		BCRES	LOI_BL	KOIR_S	ECSEC_	_IMPRGE	CDUNIY					
	001			HANA	NE 13	29N 35E	UALLEY					
	REDBRKS :											
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR STUFRAL PURPOSES DOES NOT INCREASE THE											

03/31/95 PRGE 3,174

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASTRACT OF WATER RIGHT CLAIM ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077106-00g(CONTINUED)

REMARKS CONTINUED.

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITEMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077105-00, W077105-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWARC DURING ITS

EXPRIMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UMRESOLVED IF HO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MATHEMAN SUPREME COURT STATED: "II SCLERR THEREFORE THAT UNDER NOWLAND SECONDIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A BURNAY KIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES INSIGATED. ALSO, YOUR WHIER RIGHT HAY BE SUBJECT TO WATER PIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF MODILIBRILITY."

SEE SENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FUNTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "INTITED FERTALY OF PRELIMINARY DECREE AND NOTICE OF SWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P.D. BOX 879, BDZ/BMAN MT 5977-10679.

03/31/95 PAGE 3.175

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERTSHIENUMBERE400x-W-077107-00

IMPORTANT NOTICE

YOUR MOTER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR MERNOED. HA MSTERTISK (2) MAS BEEN PLACED NEXT TO SAID ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONNEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHANA WATER SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALIBBLITY."
UNLESS OBJECTED TO GO CRILED IN ON HOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER REPORT WILL APPER IN THE FINAL OCCREE
AS SKOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTHAN COOR ANNOTATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 368000
BILLINGS MT 59107

PURPOSE_CUSE2: STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS DASTREAM RESERVOIR.

UCLUME: .62 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY DEANS SENESE 24 29N 35E VALLEY DAM

01 RESERVDIR:

OIR SEC SEC IMP RGE COUNTY

O1 DNSTREAM SENESE 24 29N 35E VALLEY

RESERVOIR/LAKE NAME: COTTONWOOD COULEE RESERVOIR
CAPACITY: _____25_0_8C=FI DAM HEIGHT: _20_FI SURFACE AREA: ____3.91 8CRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE_DE_USE_EDR_SIDCK:

03/31/95 PAGE 3.176

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077107-COE(CONTINUED)

PLACE OF USE CONTINUED.

LOT BLK OTR SEC SEC TWP RGE COUNTY

001

SENESE 24 29N 35E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERM, PURPOSES DOES NOT IMPRESE THE EXTENT OF THE WATER RIGHT. RATHER IT DEERES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (DIPROSE) OF THE WATER IT ACCORD WITH HISTORICAL PRACTICES.

THE DWAC EXAMINATION OF THIS CLPIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING PUR RIGHT WIN OTHER CLAIMS IN THE BOSIN- FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UQUINES, OR GRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING PASINS OR SUBBRSINS AS WELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REQUESTED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHMARY DECREE AND NOTICE OF AUAIL ABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITITARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-824-3270 (WITHIN MONTAH) DMLY) OR 1-405-586-384, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WHITE RIGHT CLAIM

WATERERIGHTENUMBER: 400:-W-077108-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MENDED. AN ASTERISK (X) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONKED DAING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM STER COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGUSTATIVE" UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTANA WATER COURT IN THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SKOWN ON THIS MOSTRACT. (SEE SECTION 65-2-23) MONTHRM CODE REMOTATED.

<u>DWNERS</u>: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800 BILLINGS 59107 MT PURPOSE CUSED: WILDLIFE UNHAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK SOURCE TYPE: SURFACE WATER SOURCE: PRIORITY DATE: JUNE 25, 1954
TYPE OF HISTORICAL RIGHT: USE FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. DOLUME: 24.38 RF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: MEBNS LOT BLK OTR SEC SEC TWP RGE COUNTY ល៖ SENESE 24 29H 35E UALLEY DAM RESERVOIR: QTR_SEC_SEC_TWP_RGE_COUNTY___ O1 ONSTREAM SENESE 24 29N 35E VALLEY RESERVOIR/LAKE NAME: COTTONWOOD COULEE RESERVOIR CAPACITY: 25.0 AC-FI DAM HEIGHT: 20 FI SURFACE AREA: 3.91 ACRES SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED BY DHRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLOCE_DE_USE_EDB_WILDLIEE:

03/31/95 PRGE 3,178

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 PRSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077108-00x(CONTINUED)

PLACE OF USE CONTINUED:

LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001 SENESE 24 29N 3SE VALLEY

REMARKS

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• ż THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCRESS THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESS THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOY7107-00, WOY7107-00,

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE CLAIMED RIGHT. IN THE THITLER UP THE MEMBERS THE MEREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT LUNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BELIER UNDERSHANDIA UT TOUR CHAIRED WHIER KIAHI CHA BU BUHIARED BY CONTRACT YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY ONTES, FLOW RATES, UGLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO MATER KIGHTS IN ADDITATING BASINS OR SUBBASINS AS RELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MATTLED OF ENTRY OF PRELITHIARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDITIORS IN THE DOCUMENT ENTITLED "MOTICE OF FINTY OF PRELITINARY DEFREE AND NICE OF AUAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DWLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PAGE 3,179

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077109-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION (DNKC) CURING THE EXAMINATION PROCESS. THESE CHANGES HAR MININGIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTATION."

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	OWNER	: ZS	USA C			NTER	IDR	BURE	AU D	IF LE	HD I	GHT:)				
		PO BOX 36800 BILLINGS				MT 59107											
	PURPOSE_CUSE2: WILDLIFE																
	SOURCE: UNMAMED TRIBUTAL SOURCE TYPE: SI																
z	PRIDRITY DATE: DECEMBER 31, 1969 TYPE OF HISTORICAL RIGHT: USE																
	ELDN.							HAS BEEN DECREED FOR THIS USE FROM 1 RESERVOIR.									
	UCLUME: 4.38 AF																
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31																
* PDINI_DE_DIVERSION_AND_MEANS_DE_DIVERSION:																	
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			828	ES		1	.OI	BLK.	0	IR_S	EC	SEC_	_I¥P_	_RCE	_CDUNIY_		
	001				CGOL	ιT3	В				ME	01	29N	36E	VALLEY		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

REMARKS:

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03/31/95 PRGE 3.180

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077109-ODE(CONTINUED)

REMARKS CONTINUED:

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I 1 * . *

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077109-00, W077110-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS EXHRINATION OF THIS WATER RIGHT CLATH, THESE ISSUES BY REMAIN UNRESOLUTED IT NO BOJECTIONS ARE FILED. x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERREDARN DRAINAGE REA, 234 MONT. 343 (1900) (THE BERN LINKE CHSE) THE MONTHAN SUPREME COURT STATED) "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, N. APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT INKOUGH A TRUPPY ZIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DATAINED BY COMPARING YOUR RIGHT VITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY FIRMLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIBINARY DECREE AND NOTICE OF RUALLABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE GUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU OR CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MOTION ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077110-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRETISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION COMEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHING WATER COURT OF THE WATER RIGHT CLAIM EMPLIANMENT RULES AS ADOPTED BY THE MONTHING WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED -HOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY.-UMLESS OBJECTED TO BY CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 65-2-233, MOTHAN CODE REMOTATEL)

OMBERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 PURPOSE_CUSED: STOCK SOURCE : UNNAMED TRIBUTARY OF BOB COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **ELDW_RATE: UOLLINE:** .62 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTP SEC SEC TWP RGE COUNTY MEANS (GOUT) A NE D1 29N 36F UALLEY DAM RESERVOIR: OIR SEC SEC TWP RGE COUNTY O1 DHSTREAM NE D1 29N 36E VALLEY * PLOCE_DE_USE_EDR_SIDCK+ BCRES LDI BLK GIR SEC SEC IMP RGE COUNTY 001 (GOUT) 8 NE DI 29N 36E UALLEY REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME PIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

G 18

03/31/95 PAGE 3.182

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077110-002(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURED WITH HISTORICAL PRACTICES. W077109-00, W077110-00.

THE DRIVE EMAILMENT OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR FORCES IRRIGATED, ALSO, YOUR WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS AND BE REUTEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AMAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIGINARY DECREE AND NOTICE OF ANALLABILITY." IF YOU MEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MOTION ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, 802FARM HT 59771-0679.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BREIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077111-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY MAVE CLASSES FROM YOUR WATER RIGHT AS CLAIMED OR METHODED AN ASSERTISK 23 MAS BEEN PLACED MEXT TO ENOUTHER THE PROPERTY OF THE PROPERTY OF THE CHARGES ARE CHARGES AND BY THE HE MOTTAN OF THE CHARGES ARE CHARGES ARE CHARGES ARE CHARGES AND THE HE MOTTAN WHITE COURT OR THE WHITE RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WHITE SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY."

UNLESS DESCREET TO BY CALLED IN ON HOTION OF THE MONTHAM WHITE COURT IN THE DECREE, THE ELEMINS OF THIS CLAIMED WHITER SIGNI WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 95-2-23), MONTHAM CODE RIMIDITED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF MOTT COULEE * SOURCE: SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: UDLUME: 38 BF F PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT_OF_DIVERSION AND MEANS_OF_DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNW 03 29N 36E UALLEY DAM RESERVOIR : OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NESWAW OB 29N 36E URLLEY * PLOCE DE USE EDR WILDLIEE: BORES LOT BLK OIR SEC SEC TWP RCE COUNTY SENUNU 36E UALLEY 001 D3 29N 36E UALLEY 200 NESWNW

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95 PAGE 3,184

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER:400s-W-077111-00x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077111-00, W077112-00.

THE FOLLOWING ISSUES WERE DENNIFIED BY THE DMKC DURING ITS

E EXAMIDMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LUMRESOUVED IF MO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLRIMED RIGHT. IN THE MRITER OF THE DERROBMEN DRAINAGE RHEA, 234 MONT. 393 (1988) (THE DERN LAKE CASE) THE MONTH HAS SUPPERE COURT STREET. "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION. TISS AND URLICHIES, EXCEPT THROUGH A PURPHY RIGHT STATUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAILED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE SPENT. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT ANY DE SUBJECT TO WATER RIGHTS THE ADJUSTING BASINS OR SUBBASINS HELL AS BELL AS BEING UNSUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO IMDIEM RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE CLORATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIARRY DECREE AND NOTICE OF AVAILABILITY."

SEE SENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RWAILABILITY.—I F YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAM CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHMA DNLY) OR 1-406-506-4364, OR BY WRITING TO P.O. BOX 879, 80ZEMON MT 5977-10879.

03/31/95 PRGE 3, 185

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK 885IN 400 ABSTRACI OF WHIER RIGHT CLRIM

WATERARIGHTANAMBERA400a-W-077112-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESIRECT THAY HAVE CHANGES FROM YOUR WATER RIGHT AS CARRED OR AMERICED. AN ASTERISK (2) HAS BEEN PLACED MEXITD EACH ITEM CHANNEED BY THE DEPARTMENT OF MATURE, RESOURCES AND CONSECUTION (OMEC) DURING THE EXPANDATION PROCESS. THESE CHANGES REE MUTURALIZED BY THE MUTURAND WATER COURT OF THE WATER KIGHT CLAIM EXAMINATION RULES AS ROOPETED BY THE MOTHAND WATER COURT OF THE WATER KIGHT CLAIM EXAMINATION RULES AS ROOPETED BY THE MOTHANDAMENT OF THE WATER KIGHT CLAIM EXAMINATION RULES AS ROOPETED BY THE MOTHANDAMENT OF THE WATER HIGH FORTHANDAMENT OF THE WATER HIGH FORTHAND AND THE WAT SUPPER COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MORIGINITY."

UNLESS OBJECTED TO DR CALLED IN ON MOTION OF THE MOTICAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS DESTRACT. CSEE SECTION 85-2-23, MONTHAN CODE REMOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800 BILLINGS MT 59107 PURPOSE (USE): STOCK * SOURCE: UNNAMED TRIBLITARY OF MOTT COLLEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE: DECEMBER 31, 1966 TYPE OF MISTORICAL RIGHT: USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UOLUME:** .62 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWE RGE COUNTY TERMS 01 NESHNY 03 29N 36E VALLEY RESERVOIR: GIR SEC SEC IVE RGE COUNTY O1 ONSTREAM MESWNW 03 29N 36E UALLEY * PLACE OF USE FOR SIDCK : BCRES LOT BLK DIR SEC SEC TWP RGE COUNTY 001 SENUMU 03 29N 36E UALLEY NESUMU 03 29N 36E UALLEY SOO

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95 PRGE 3,186

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077112-00E(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077111-00. W077112-00.

THE DINC EMARTHATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE MATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIRS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLED "WOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN #1 5977-10879.

PRELIMINARY DECREE

HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BRSIN 400

ARSTRACT OF MATER PIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077113-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUTED OR REFERDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE OPERATION OF MACHINER, RESOURCES AND CONSERVATION COMECO DATING THE EXPOUNDATION PROCESS. THESE CHANGES HAVE AUTHORIZED BY THE MOTTANA WATER COURT OF THE WATER RIGHT CLAIM EXPOUNDED BY THE MOTTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELITINARY DECREE AND MOTITE OF AMAILMBILITY." BUNESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAM MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MONTHAM CODE REMOTATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE * SOURCE: MOTT COLLEE SOURCE TYPE: SURFACE WATER * PRIGRITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. UDLUME: 24.38 AF PERIOD DE USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY_______DERMS_ 01 (GOUT) 9 NE D4 29N 36E VALLEY DAM RESERVOIR+ ___QIR_SEC_SEC_IMP_RGE_COUNTY_____ 01 DMSTREAM NE 04 29N 36E VALLEY
CAPACITY: _____89_0_8C_EI DAM HEIGHT: _33_EI SURFACE AREA: ____1.42_8CBES SEE THE BLH PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DHRC * PLACE OF USE FOR WILDLIFE: BCRES LOI BLK DIR SEC SEC IMP RGE COUNTY (COUT) 29H 001 36E UALLEY 500 (GOUT) 291 36E UNLLEY ĔÕÕ VALLEY

03/31/95 PRGE 3,188

PRELIMINARY DECREE HILK RIVER SELON WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ____

ABSTRACT OF WATER RIGHT CLAIM

WATERSKIGHTSHUMBERS4005-W-077113-005(CONTINUED)

REMARKS CONTINUED:

BENNEKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SCHERN PURPOSES LOCS NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTEMNTE MONO EXCHANGE THE USE COMPOSE) OF THE WATER IN RECORD WITH MISTORICAL PRACTICES. WO77113-00. WO77114-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS * EMAINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MRY REMAIM ** UMRESCLUED IF MO BUBLETIONS RORE FILED. #*

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CRIMED SIGHT IN THE MATTER OF THE CHARGORN DRINGE REA, 234 MINT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPERFE CLURT STATED: 411 IS CLEAR THEREFORE THAT MADER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILLUITE, EXCEPT INMOUGH A MURPHY RIGHT STATUTE.

A FETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING TOUR RIGHT WITH OTHER CLAIMS IN THE BESIN FOR EXAMPLE, COMPARE PRIDBITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRSINS OR SUBBRSINS HS YELL AS BETTEM SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INCIME MESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATIONARY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUNT AS INDICATED IN THE DOCUMENT BETTILLED "NOTICE OF ENTRY OF PRELIGINARY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED OBJECTION FORMS, OR MANUE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO'-624-3270 (WITHIN MONTANN DNLY) OR 1-406-586-4364, OR BY WRITING TO RIGHT OF THE WATER AND THE PROCEDURES OF THE WATER OWNERS OWNERS OF THE WATER OWNERS OF THE WATER OWNERS OWNERS

03/31/95 PRGE 3.189

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077114-00

THPORIBHT MOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AN ASTERISK (2) HAS SEEN PLACED MENT TO EACH LITH CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMED DUTING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE WATER RIGHT CLAIT EXAMINATION RULES AS ADDRED BY THE MONTHAN AFTER THE MONTHAN EXAMINATION RULES AS ADDRED BY THE MONTHAN AFTER COURT OF THE WATER RIGHT CLAIT EXAMINATION RULES AS ADDRED BY THE MONTHAN ASTER COURT OF THE MONTHAN ASTER COURT SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTERY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN MOTION OF THE MOTIVARY MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAN GOOD ENMOTATED.

DMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36BOO BILLINGS MT 59107

PURPOSE_(USE): STOCK

= SOURCE: MOTE COURSE SOURCE TYPE: SURFACE WATER

* PRIDRITY_DATE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_ROIE:

THIS DNSTREAM RESERVOIR. UDLUME: -62 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK OIR SEC SEC IMP RGE COUNTY MEANS (GOUT) 9 DAM O1 NE 04 29N 36E UALLEY

RESERVOIR:

OTR SEC SEC IMP RGE COUNTY

D1 ONSTREAM NE 04 29N 36E URLLEY CAPACITY: B9.0 BC-EI DAM HEIGHT: 33 EI SURFACE AREA: 7.42 BCBES

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE_DE_USE_FOR_SIDCK :

__BCRES____LDI_BLK__DIR_SEC_SEC_IMP_RGE_COUNTY____ CGDUTO 04 29N 36E VALLEY

001 VALLEY COUTO 04 29N 36E 500 003 (GOUT) 10 04) 18 UALLEY ัก

03/31/95

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ARSTRACT DE MATER RIGHT CLAIM

HOTE-RERIGHTENINGER 4002-V-077114-00% (CONTINUED)

PENEMERICS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE SAME RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER LISTED RATHER IT DECKES THE STIGHT IN ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IT ACCORD LITH MISTORICAL PRACTICES.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIRS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, WOLDES, OR RACES IRRIGATED. A S.O., YOUR WATER RIGHT HAY BE SUBJECT TO WHATER RIGHTS IN ADJUNING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUDILIBRILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLINED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE MOCLUMENT HITLED "MOTICE OF ENTRY OF PRELIMINARY DEFRE AND NOTICE OF THE WATER FOR THE MOTICE OF THE WATER FOR THE WATER COURT BY CALLING 1900—624-3270 (WITHIN NOMINA ONLY) OR 1-406-525-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 59771-0879

PREI THINARY RECREE WILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLATH

WATERERIGHTENUMBERE4001-W-077115-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED MEXT IC EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEQUENCED MEXT IC EACH THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHERN ATTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE NOTIONAL SUPPENE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIXINARY DECKEE AND MOTICE OF ANALIBRILITY." BY MERES OBJECTED TO DR CALLED IN ON MOTION OF THE MONTHAN MATER COURT IN THIS DECKEE, THE ELEMINS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECKEE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 55-2-239, MONTHAN CODE ARMOTRIED.)

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) DWNFRS: PD BOX 36800 HT 59107 PURPOSE_CUSE2: STOCK ANTELOPE CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER * SOURCE : * PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RRIE: THIS UNSTREAM RESERVOIR. .62 AF UDLLIME: PERTOD DE USE: JANUARY O1 TO DECEMBER 31 POINT DE DIVERSION AND MEANS DE DIVERSION: LDI BLK OTR SEC SEC INP RGE COUNTY MERNS CGOVT) 6 NW 06 29N 36E URLLEY DRM 01 RESERVOIR. OTR SEC SEC TYP RGE COUNTY NHSTREAM NW O6 29N 36E UALLEY 01 RESERVOIR/LAKE NAME: UR-79 RESERVOIR CAPACITY: ____43.1 AC-FI DAM HEIGHT: _17_FI SURFACE AREA: ____B_O3 ACRES THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE DE USE EDR STOCK : ___OCRES__ LOI BLK OIR SEC SEC IMP RGE COUNTY 29N 36E UALLEY B 19 CECUTO 001 (GDUT) NU

03/31/95 PRGE 3,192

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077115-002(CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERNI, PURPOSES DOES MOT INDERSE THE EXTENT OF THE WATER RIGHT, RATHER IT DECRESS THE RIGHT TO RITEMANTE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT COM BE OBTAINED BY COMPREHEN YOUR RIGHT WITH OTHER CLAIMS IN HE BRSIM. FOR EXAMPLE COMPREHEN PRICELY DATES, FLOW RATES, UNLUKES, OR ACCES TREIGHED. ALSO, YOUR WATER RIGHT WAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BRSIXE OR SUBBRSIMS OR SUBLIAS BELIEF SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED.

COMPLETE DETAILS REGARDING THE DARK EXAMIMATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELITIINARY DECREE AND MOTICE OF ANGLIDESILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLE: OF RETRY OF PRELIFINARY OCREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (VITHIN MONTAINS ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PAGE 3.193

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING POPCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077116-CO

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(GOUT)

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURE, RESOURCES AND CONSERVATION CONC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MICHARMA WATER COURT OR THE MATER RIGHT CLAIR EXAMINATION RULES AS POUT HE MICHARMA WATER COURT OR THE MATER RIGHT CLAIR EXAMINATION RULES AS POUT HE MICHARMA WATER SUPREME COURT.

OBJECTIONS NAY BE FILED ACCORDING TO THE PROCEDURES OUTLING IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILIABILITY."
UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE NOTITING MATER COURT IN THE DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIDS ROSTRACT. SEE SECTION 65-2-239, NORTHAN CODE ANNOTATION. DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE ANTELOPE CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER **≖** SOURCE: * PRIDRITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE ELOW_ROTE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR. UDLUME: 42.50 AF PERIOD DE USE: J'ANUARY O1 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION : LOT BLK OIR SEC SEC TYP RGE COUNTY _BEANS___ 01 (COUT) 6 NV 06 29N 36E VALLEY DOH RESERVOIR: DIR SEC SEC INP RGE COUNTY 01 UNSTREAM NY OF 29N 36E URLLEY RESERVOIR/LAKE NAME: UR-79 RESERVOIR CAPACITY: ____43.1 AC-FI DAN HEIGHT: _17.FI SURFACE AREA: __8.03 ACRES THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLBCE_DE_USE_EDB_WILDLIFE: ______LOI_BLK__QIR_SEC__SEC_IMP_RGE__COUNTY CECUTY 06 29H 36E 06 29H 36E

03/31/95 PRGE 3.194

PRELININARY DECREE PAGÉ 3,15 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MBSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077116-00±(CONTINUED)

REMARKS CONTINUED:

REMARKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE HE USE CUPPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77115-00. WO77116-00. WO77116-00.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIMED RIGHT. IN THE MRITER OF THE DERREDREN DRAINAGE RREA, 234 MONT. 343 (1988) (THE BEAM LARE CASE) THE MONTANA SUPERE COURT STRIED. "IT IS LEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTIZED FOR RECERTION, FISH AND WILDLIFE, EXCEPT THROUGH A MURRY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE ABOUT. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW MATES, UDLIMES, OR ACRES IRRIGATED. ALSO, YOUR WHITER RIGHT HAY BE SUBJECT TO WATER RIGHTS THE ADJOINING BASINS OR SUBBRIAIN AS WELL AS BETTM SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED THROUGH TO PRELITITARY DECREE AND NOTICE OF AVAILABILITY.*

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELITINARY DETREE NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM ONLY) UR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, 80ZFRMAN NT 59771-0879.

03/31/95 PAGE 3,195

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 x - W - 077117-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURER RESOURCES AND CONSERVATION CONNEC) DUTIES THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. CSEE SECTION 65-2-233, MONTANA CODE ANNOTATED.)

DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK SDURCE TYPE: SURFACE WATER SOURCE: PRIORITY DATE: AUGUST 21, 1936
TYPE OF MISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. UDLUME: 6.18 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 POINT OF DIVERSION AND MEANS_DE.DIVERSION: LOT BLK OTR SEC SEC TYP RGE COUNTY MEANS O1 SENE OF 29H 36E UALLEY DRM RESERVOIR: OIR_SEC_SEC_IMP_RGE_COUNTY_ O1 ONSTREAM SENE O9 29N 36E UALLEY PLOCE OF USE FOR WILDLIEE: __BCRES ___LDI_BLK__OIR_SEC__SEC_IMP_RGE_COUNTY_____ 001 SENF 09 29N 36E

REDBRKS+

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PRGE 3,196

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077117-002(CONTINUED)

REMARKS CONTINUED:

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2 . 1 EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077117-00, W077118-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DANKE DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLUED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS TO THE DEVELORITY OF THIS INCLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTAINAS UPPERE COURT STATED: "IT IS LLEAR THEREFORE THAT UNDER MONTAINA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTIZED FOR RECREATION, FISH AND MILOLIFE, EXCEPT THROUGH A MURPHY KIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT IN ADJUSTING BASINS OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHIER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERGL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPANATION OF YOUR CLARIBED WHITE TOWN. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "WOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF WAGLABILITY." IF YOU NEED DESCRIPTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT BY CALLING 1-800_564-3270_UVITHIN MONTHAN ONLY) OR 1-406-5864-3864, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400x-W-077118-00

THORRESTANT NOTICE

YDUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMEMBED. AN ASSEMBLY HADED NEXT TO EACH ITEM CHANNEDS BY THE DEPARTMENT OF MINISH. RESOUNCES AND CONSERVATION (ONC) UNKING THE EMAILMAIND PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER TIGHT CLAIM EMAILMAND RULES AS ROUPTED BY THE MONTANA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PREINTIMARY DECREE AND MOTICE OF MUNICIPALITY."

UNLESS OBJECTED TO OR CALLED IN MOTITION OF THE MOTIMAN MATTER COUNT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED MATTER REDAT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS ABSTRACT. (SE SECTION 85-2-23), MOTIMAN GOOD RANDIATED. DWMERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 368000
RT 59107 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: AUGUST 21, 1936

TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UOLUME: .62 AF PERIOD_DE_USE: JANUARY OF TO DECEMBER 31 POINT DE DIVERSION AND MEANS OF DIVERSION: LOI BLK OIR SEC SEC IMP RGE COUNTY MEANS 01 SENE OF 29N 36E VALLEY RESERVOIR: _____OIR_SEC_SEC_TWP_RGE_COUNTY_____ O1 DNSTREAM SENE D9 29N 36E VALLEY PLACE OF USE FOR STOCK: __ACRES____LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____ 001 SENE 09 29N 36E VALLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PAGE 3.198

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 9851M 400

RESTRACT OF WATER RIGHT CLAIR

WATERERIGHTENUMBERE400g-W-077118-00g(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077117-00, W077118-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAILED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASH. FOR EXAMPLE, COMPARE PRIDITITY DATES, FLOW WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS AND JOILINING BRISTS OR SUBPRIST OF THE RIGHT OF THE SUBJECT TO THE RIGHT OF THE RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT MAY BE

COMPLETE DETAILS REGARDING THE DARC EXMINATION RESULTS AND RELATED MATERIALS CAN BE REVIED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF ANALISMILITY."

SEE GENERAL FINDINGS OF FRET AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARAGE WHER RIGHT INESS FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED *NOTICE OF ENTRY OF FRELININARY DECREE AND NOTICE OF AWAILABILITY.* IF YOU NEED DESECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-643-3270 (WITHIN MONTHAM DILLY) OR 1-406-586-386, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95

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HILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: -0-077119-00

EXXXX THIS WATER RIGHT CLAIM HAS BEEN TERMINATED EXXXX

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800

BILLINGS

59107

PURPOSE_(USE): 5TOCK

SOURCE : UMNAMED TRIBUTARY OF HARDSCRABBLE CREEK

PRIDRITY DATE:

FLOW ROTE:

VOLUME:

PERIOD OF USE :

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC TYP BGE COUNTY MEANS SWNW 12 29N 36E VALLEY

01 RESERVOIR:

PLACE OF USE FOR SIDCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DARC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED AS THE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABBLITY."

WH.ESS OBJECTED TO DR CALLED IN ON MOTION OF THE MOTIMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-233, MOTIVAN COORD ANNOTATE.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-000-624-3270 (WITHIN MOTHENS DRIVE) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 679, BOZEMAN MT 5977-10679.

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03/31/95 PAGE 3,200

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MASSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-0-077120-00

**** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED ****

DMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HISHT)

PO 80X 36800 BILLINGS

MT 59107

PURPOSE_(USE): WILDLIFE

SOURCE: UNWAMED TRIBUTARY OF HARDSCRABBLE CREEK

PRIORITY DATE:

FLOW RATE:

UDLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

EDITION DIOCESTRO DON DEBUS DE NIVERSARO:

LDI BLK 9TR SEC SEC IVE. BGE COLVITY DEATH
SUNW 12 29N 36E VALLEY DAM

01

RESERVOIR:

PLECE DE USE FOR WILDLIFE:

REDBBKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DINCE EXAMINATION OF THIS CLAIM HAY NOT MAJE BEEN COMPLETED : AS THE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINANY DETREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS CLAIMED WATER RICHT WILL APPEAR IN THE FINAL DECREE S SHOWN ON THIS MASTRACT. (SEE SECTION BESTEROT; MOTHANG ADDE ANNOTATED.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIES PROTICE OF ENTRY OF PRELITINARRY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, 8027AM NT 5977-10879.

PREI THINNEY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077121-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRICK (2) HAS BEEN PLACED MEXT TO EACH ITEN DEMONSED BY THE DEPRHATENT OF ANTORNA RESOURCES AND CONSERVATION (DNACE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOTED BY THE MOTTANA WATER SUPREME COURT.

DEJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."

UNLESS OBJECTED TO BE CALLED IN ON HOTION OF THE MOTIVARY WATER COURT IN THIS DECREE.

THE ELERKITS OF THIS LIGHTED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BRESTRET. (SEE SECTION 85-2-233, MOTIFARM CODE ARMOTATED.)

CONNERS: USA (DEPT OF INTERIOR BURERU OF LAND MIGHT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_CUSE): STOCK UNHAMED TRIBUTARY OF ANTELOPE CREEK, MORTH FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 05, 1963 TYPE OF HISTORICAL RIGHT: USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. VOLUME: .62 RF PERIOD DE USE: JANUARY O1 TO DECFABER 31 * PDINI DE DIVERSION AND MEANS DE DIVERSION: LOT BLK_QIR_SEC_SEC_IVP_RGE_CDUNIY______MEANS_____ EZSWNW 18 29N 36E UALLEY 01 RESERVOIR: ____QIR_SEC_SEC_IMP_RGE_COUNTY_____ O1 ONSTREAM E2SWNW 18 29N 36E VALLEY RESERVOIR/LAKE NAME: RUBY RESERVOIR * PLACE_DE_USE_EDR_SIDEK: OCRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 EZSWNW 18 Z9N 36E URLLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

WATER-RIGHT SHUPBERS 4000x-W-077121-00x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77121-00, WO77122-00.

THE ONCE EXMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE MATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIDHT COM SE OBTAINED BY COMPARING VOUR REIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE COMPARE PRINTIP DATES, FLOW EARTS, MOUNES, OR ACRES INTIGATED. ALSO, YOUR WATER RIGHT MAY SE SUBJECT TO WATER RIGHTS IN ADJITHING BRISING OR SUBBRISING SMELL AS BEING SUBJECT TO THATER RIGHT ON YOUR SOURCE OF SUPPLY. FIRMLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED HATER RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED HATER RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MICTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE PHOTICE OF ENTRY OF PRELITINARY DECREE AND DOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY CRILING PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONITARA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN M 5 5971-0879.

PRELIMINARY DECREE

MZLK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077122-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAIK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE COPARTMENT OF ANTURAL RESOURCES AND CONSEQUATION (OWED DURZING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT UNITED MOTICE OF ENTRY DE PRELIMINARY DECREE AND MOTICE DE MAGINAGILITY. "
UNLESS OBJECTED TO DE CALLED IN ON MOTION OF THE MONTHMA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ASSTRACT. CSEE SECTION 85-2-233, MONTHMA CODE ANNOTATED.

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 DWNERS: BILLINGS 59107 PURPOSE_(USE): VILOLIFE SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: JULY 05, 1963
TYPE OF MISTORICAL RIGHT: USE ELDW RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UCLUME: 6.88 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT_OF_DIVERSION_OND_MEANS_OF_DIVERSION: LOT BLK DIR SEC SEC IMP BGE COUNTY MEANS.... 01 EZSWNW 18 29N 36E URLLEY DRM RESERVOIR: _____QIB_SEC_SEC_IMP_BGE_COUNTY_____ O1 ONSTREAM E25WNW 18 29N 36E URLLEY RESERVOIR/LAKE NAME: RUBY RESERVOIR * PLACE DE USE EDR WILDLIEE: __BCRES____LOI_BLK__QIR_SEC__SEC__IMP__RGE_CDUNIY_____ 001 EZSUNW 18 ZON 36E VALLEY

BEDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95 PACE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 800 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077122-001(CONTINUED)

REMARKS CONTINUED:

. . I

1 z EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077121-00, W077122-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REHAIN LARCE-DURY IF HO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CREATED TO MESTAL HE MATTER OF THE DEPREDATE DRAINAGE REER, 234 MONT. 433 (1988) (THE BERN LAKE CASE) THE MONTHAN SUPERE COURT STRICE. "IT IS CLEAR THEREFORE THAT MOSE MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECEDIALZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTATHED BY COMPARING ON COMPARING PURCHAS WITH OTHER CLAIMS IN THE BOSIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES TRRIGHED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BESINS OR SUBBRISHO AS USELL AS BETTEN SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. TINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LODATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WATER FIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALLABILITY." IF YOU NEED DEJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1.500-6.2320 (LITHIN MONTANA DILLY) OR I 1-406-586-386-3, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE NILK RIVER BELOW WITEWATER CREEK INCLUDING PORCUPINE CREEK BRASINGE DESTRUCTOR WHITE RIGHT CLAIM

WATERIRISHTENUMBERE 4002-W-077123-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS PRESTREET MY HAVE CHONGES FROM YOUR WATER RIGHT NO DETINED OR AMENDED. BY ASSTREET MY HAVE BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPORTMENT OF MINISHE. RESOURCES MY COMPENSATION COMPACT DURING THE ENMINISHING PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMILINATION RILES AS ADDRESS BY HE MONTHAN SUPPRING COURT.

DRITECTIONS NOW OF FILED ACCORDING TO THE PROCESSINGS OUTLINED IN THE DOCUMENT

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	DANCE	- PO E	CDEPT OF BOX 36800 INGS	INTERIOR E	3URE MT	AU OF LAND 59107	MGMT:)		
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03/31/95 PRGE 3.206

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077123-00x(CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USED THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT IMCREASE THE EXIENT OF THE WATER RIGHT. RATHER IT DECREES THE SERIENT ID ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77123-00, WO77123-00, WO77123-00, WO77123-00,

E DAIN, OR 122052 IN REPORT TO THE BRICK COURT.

A BETTER UNDESSTRAINE OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPRING YOUR RIGHT WITH OTHER CLAIMS IN THE BASHM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRASINS OR SUBBRISHS AND SELL AS BELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE ODDINENT ENTITLED MATTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FRITHER EXPLANATION OF YOUR LAINED WHER RIGHT. THESE FUNDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIXIMARY DECREE AND MOTICE OF AUAILABILITY." IF YOU NEED 083ECTION FORKS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTRHA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 800 879, 802Eman MT 5977-10979.

PRELIMINARY DECREE MILK RIVER SELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER:400:-W-077124-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHAMBES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRACTS (1) MAS BEEN PLACED NEXT ID ACCOUNTED THE CHAMBED BY HIS DEPARTMENT OF MATURAL RESUMERS AND CONSERVATION COMED OURING THE EXAMINATION PROCESS. THESE CHAMBES REGULATORIZED BY THE MOTHAM WATER COURT ON THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOTTED BY THE MOTHAM SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTLY OF PRELIMINARY BETREE AND NOTICE OF AUAILABILITY." UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE HONTANA WATER COURT IN THIS CLATTED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SANDAM ON HISS ABSTRACT. CSEE SECTION 85-2-233, HONTANA CODE ANHOTATED. DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 MT BILLINGS 59107 PURPOSE (USE): WILDLIFE SQURCE: ANTELOPE CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIEST: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLLINE: 15.08 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC INP RGE COUNTY MEBNS. 01 SWSWNW 21 29N 36E URLLEY DOM RESERVOIR: OTR_SEC_SEC_IMP_RGE_COUNTY_ O1 ONSTREAM SUSUNU 21 29N 36E VALLEY RESERVOIR/LAKE NAME: UR-43 RESERVOIR CAPACITY: 15.7 AC-ET DAM HEIGHT: 11 ET SURFACE AREA: 5.80 ACRES THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE DE USE FOR WILD IFE: GCRES LOI BLK GIR SEC SEC IMP RGE COUNTY

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PRELITIONERY DECREE PAGE 3, MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER MIGHT CLAIM

WATERERIGHTENUMBERE 4005-W-077124-001(CONTINUED)

REMARKS CONTINUED:

REMBEKS.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR THE USE OF THIS EXIGHT FOR SECURAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE SECURIOR THE WATER THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THER IS A QUESTION AS TO THE URLIDITY OF THIS CLATTOR THAT IN THE PARE AND THE DRAWN DRAINAGE AREA, 234 MONT. 432 (1983) (THE BERN LAKE CASE) THE MONTHAN SUPPERSE COURT STREED. 11 IS LEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STRUTTE.—

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW ARES, UDLUMES, OR ACCES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT WHILED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTAL FORMS, OR MANG QUESTIONS ABOUT WATER COURT PROLEDUSES OR CHANGES TO YOUR KIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-664-320 (WITHIN THOM THE WATER COURT BY CALLING P. O. BOX 879, BOZEMAN HT 59717-0873.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077125-00

IMPORTANT NOTICE

YOUR METER RIGHT AS SHOWN DIM THIS ABSTRACT MAY HAVE LIMBIGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMBERS. AM ASTRIKES WIS MAS BEEN PLACED MEXT TO EACH ITEM CHANNED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (DIRECT DURING THE EXAMINATION PROCESS. THESE CHANNES ARE AUTHORIZED BY THE MOTHANA WATER CHURT OR THE WATER TIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER LIMBIAN AS ADOPTED BY THE MONTANA WATER TIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER TIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA OF THE MONTANA WATER TIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA OF THE MO

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECRE AND MOTICE OF ENABLABBLITY." WALESS OBJECTED TO BE CALLED IN ON MOTION OF THE MONTHAN WHITE COURT IN THIS DECREE, THE ELEMENS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. CSEE SECTION BS-2-233, MONTHANA CODE RMIDITALES OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNHAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: JUNE 27, 1954
TYPE OF HISTORICAL RIGHT: USE FLOW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: 7.38 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 E POINT DE DIVERSION AND MEANS DE DIVERSION: LOI BLK OIR SEC SEC IMP RGE COUNTY _______ 01 SESUSE 22 29N 36E VALLEY DAM RESERVOIR: DIR SEC SEC INP. RGE_COUNTY_ **D1 DNSTREAM** SESWSE 22 29N 36E VALLEY * PLACE_DE_USE_FOR_WILDLIFE: ACRES LOI BLK OIR SEC SEC IMP RGE COUNTY 001 SESUSE 22 29N 36E URLLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SHIRE RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE MIK RIVER BELOW WHITEWATER CREEK HOLLUDING PORCUPINE CREEK BRESIN 400 BRESTACT OF WATER FIRST CLAYN

WATERERIGHTENUMBERE4002-W-077125-00E(CONTINUED)

REPARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ROCORDO WITH HISTORICAL PRACTICES. W077125-00, W077125-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
LUNRESQUUED IF NO DEDUCTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRAINAGE REEA, 234 MONT. 3-3 (1980) (THE BERN LAKE CASE) THE MONTHMA SUPERME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHMA LAW DEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY KIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES TREGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DEIALS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS IN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELINTARY DEFREINT AND ADDITE OF AUGILE OF AUGILE BILLITY." IF YOU MEED OBSECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU GAM CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 5977-10-879.

PRELIMINARY DECREE PAGE 3,211 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077126-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MRY HAVE CHANGES FROM YOUR WATER RIGHT AS CHAIRED OR AMENDED. AN ASTRACTS AND JAMES HER PLACED WEXT TO EACH ITEM CHANGED BY THE CERATHERT OF MATURAL RESOURCES AND CONSERVATION CONEC DURING THE EXAMINATION PROCESS. THESE CHANGES AND ENDITED BY THE MOTHAM WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOTTED BY THE MOTHAM ANTER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIMATIVE."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHANA WATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT (SEE SECTION 85-2-23), MONTANA CODE ANNOTATES.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400's-W-077126-00s(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCION WITH HISTORICAL PRACTICES. W077125-00, W077126-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLRIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY ONTES, FLOW PRICES, UNLUES, OR ACRES IRRIGHTED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN POJULING BASIMS OR SUBBASTS AS WELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RETEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DECREE AND MOILES OF P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077127-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED BY AMENDED. AN ASTRACT WAS BEEN PLACED NEXT TO EACH ITEMPACED BY THE PERMITTENT OF MATURAL RESUMBLES AND CONSERVATION CONEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHAM WATER COURT OF THE WATER RIGHT CLAIM EXERTIMATION RULES AS ADOPTED BY THE MOTHAM WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY.

DECREE, THE ELEMENTS OF THIS CLAIMED WATER PIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE AMMOTATED.) OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_(USE): STOCK UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: AUGUST 12, 1965 TYPE OF MISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. UDLUME: .62 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 ≠ POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IMP BGE COUNTY MEBNS NWNWSW 23 29H 36E VALLEY PTT 01 RESERVOIR: OTR SEC SEC TWP_RGE_COUNTY__ O1 DNSTREAM NWNWSW 23 29N 36E UALLEY * PLBCE_DE_USE_EDR_SIDCK: - BCRES LDI BLK DIR SEC SEC IMP RGE COUNTY NUNUSU 23 29N 36E UALLEY 001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELITIMARY DECREE PRESS | MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT LIAIM

WATER:RIGHT:NUMBER: 400x-W-077127-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077127-00, W077128-00.

* THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW MATER, UDLUKES, OR ACRES IRRIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRISHS OR SUBBASING AS WELL AS BEING USUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIEN RESERVED WATER RIGHT MAY BE SUBJECT TO INDIEN RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE BEREREL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COUNT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COUNT BY CRILING 1-000-624-3270 (WITHIN MONTAND DNLY) DR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802EMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077128-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRICT MAY HAVE CHOISES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRESK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONSCIDENT OF THE STATEMENT OF NATURAL RESOURCES AND CONSERVATION CONSCIDENT. THE STATEMENT OF SUPREME COURT

OBJECTIONS MY 6E FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MUTICE OF ENTRY OF PRELITINARY OCCREE AND NOTICE OF ANALHBILITY." LINLESS BUSICED TO BE CALLED IN MOTION OF THE MOTINAN MATER COURT IN THIS PECKEE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPERE IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-23), MONTHRIS CODE ARMOTRIED. DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO 80X 36800 BILLINGS MT. 59107 PURPOSE (USE): WILDLIFE SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER PRIGRITY DRIE: AUGUST 12, 1965
TYPE OF HISTORICAL RIGHT: USE ELOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UDLUME:** 2.38 RF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION : LOT BLK_QIR_SEC_SEC_IMP_RGE_COUNTY_______DEBMS_ 01 NWNWSW 23 29N 36E URLLEY DAM RESERVOIR: ____OIR_SEC_SEC_IMP_RGE_COUNTY_____ O1 DNSTREAM NWNWSW 23 29N 36E URLLEY * PLACE OF USE FOR WILDLIFE: GCRES LOI BLK OIR SEC SEC IMP RGE COUNTY 001 NUMBER 23 29N 36E URLLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLSWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME WISHIT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077128-COX (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077127-00, W077128-00-

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UMRESOLVED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORM DRAIMAGE AREA, 234 MONT. 343 (1980) (THE BERN LIKE COSE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER KONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING DE VOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPANE PRIDGITY DATES, FLOW RATES, VOLUMES, OR RORES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS ON ADJOINING BASINSO OR SUBMENSION SO WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INVENTE RESERVED WATER RIGHT HAY BE SUBJECT TO INVENTE RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITYED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AUDITABLISTY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTITUDE OF ENTITY OF PRELIDINARY DEGREE AND NOTICE OF ANAILABILITY." IF YOU MED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WININ NUMBER ONLY) OR 1-406-586-4364. OR BY WRITING TO P.O. BOX 879, BOZENAN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

MATERERIGHTENUMBERE4002-W-077129-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT THAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*2) HAS BEEN PLACED NEXT TO EACH ITEN CHANNED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAIN WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF MATERIALITY."

UMLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRM, DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTHAN CODE AMMOTATED.)

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36BOO BILLINGS 59107 PURPOSE_(USE): STOCK UNNAMED TRIBUTARY OF HARDSCRAUBLE CREEK SOURCE TYPE: SURFACE WATER SDURCE: PRIDRITY DATE: HOWEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_ROIE: THIS ONSTREAM RESERVOIR. UDLUGE: .40 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDI BLK QIR SEC SEC IMP RGE COUNTY MEANS 01 SENUNE 24 29N 36E URLLEY RESERVOIR: OIR SEC SEC IMP RGE COUNTY O1 DHSTREAM SENVINE 24 29N 36E URLLEY RESERVOIR/LAKE NAME: AMY RETENTION RESERVOIR * PLECE_DE_USE_FDR_SIDCK:

001 REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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BUSES LOT BLK OTB SEC SEC TWP RGE COUNTY

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRITER & RIGHT & NUMBER & 400 g - W-077129-00 & (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077129-00, W077130-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, URLUMES, OR ACRES IRRIGATED. R.SO. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY SE SUBJECT TO INDIEN RESERVED AND FEDERAL RESERVED AFTER RIGHTS.

COMPLETE PETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE (ACTIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUDILISTIC".

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF FIRST OF PRETITINARY DECREE AND MOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHMS DULY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, BUCKMAN MT 5977-10673.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077130-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES AND CONSERVATION CONKY. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COUNT OR THE WATER RIGHT CLAIM CHANGINATION RULES AS REDOFTED BY THE MONTHAM SUPREME COURT.

DBJECTIOMS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."
BULESS OBJECTED TO OR CYLLED IN ON MOTION OF THE MOTITANA WATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRICT. (SEE SECTION 85-2-233, MOTIVARA CODE ARMOTATE).

DWNERS: USA (DEPT OF INTERIOR BURERU OF LAND MGMT) PO BOX 36800 ATL L THES 59107

PURPOSE (USE): WILDLIFE

UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK SOURCE TYPE: SURFACE WATER SOURCE :

PRIDRITY DRIE: NOVEMBER 02, 1966 TYPE OF HISTORICAL RIGHT: FILED

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR. FLUW RATE:

VOLUME: 1.50 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS SEMMME 24 29N 36E URLLEY

01 RESERVOIR:

OTR_SEC_SEC_IMP_RGE_COUNTY___

O1 DNSTREAM SENUNE 24 29N 36E UALLEY

RESERVOIR/LAKE NAME: AMY RETENTION RESERVOIR

* PLACE DE USE EDR WILDLIFE:

BCRES LDI BLK QIR SEC SEC IMP RGE COUNTY

001 SENWNE 24 29N 36E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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03/31/95 PRELIMINARY DECREE PAGE 3,220 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077130-00±CCONTINUEDO

REMARKS CONTINUED:

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* 1 ± . EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE THE WATER IN SCHOOL WITH KISTURICAL PRACTICES. W077129-00, WO:7130-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS EXHAUNTION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN UNRESOLUDE IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE 15 H QUESTION AS TO THE CHRISTY OF THIS CLAIMED RIGHT. IN THE "ATTER OF THE CERRORN DRAINAGE AREA, 234 MONT. 343 (198) CTHE BEAN LAKE CASED THE MONTHANA SUPERIN ECURY 'STATED: "IT IS CLEAR THEREFORE THAT LUNGER MONTHANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFF, EXCEPT THROUGH A HURPHY KIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW PATES, UDCLUMES, OR ACRES IRRIGHTED. ALSO, YOUR VACER RICHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS OM YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "INTITIE OF ENTRY OF PRELIMINARY DETRE HOR DILE OF HOATLABILITY. IF YOU NEED DESCRIBED FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-32 FO (WITHIN MONTHAM DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10873.

03/31/95

PRELIMINARY DECREE PROBLEM WHITEWHER CREEK INCLUDING PURCUPINE CREEK BRIAN 400 ABSTRACT OF WATER RIGHT CLAIM

WRTERERIENTENUMBERE400x-W-077131-00

THOUSTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIRED OR AMENDED. AN ASTRAISK (**) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONEC) QUILING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ACCOUNTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANALABILITY." URLESS OBJECTED TO BY CALLED IN ON MOTION OF THE MOTIFIAN WATER COUR' IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPER IN THE FINAL DECREE SHOWN ON THIS SHOWN ON THE SHOWN OF THE SHOWN ON THE SHOWN ON THE SHOWN OF THE SHOWN OF

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS : PO BOX 36800 ATL L THES MT 59107

PURPOSE CUSED: WILDLIFE

UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER x SOURCE:

PRIORITY DBTE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE:

THIS ONSTREAM RESERVOIR.

VOLUME: 1 38 RF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

20INT DE DIVERSION AND DEANS DE DIVERSION:

LDT BLK _OTR_SEC_SEC_TWP_RGE_COUNTY MEANS

01 NESESE 23 29N 36E VALLEY

RESERVOTE:

OTR_SEC_SEC_TWP_RGE_COUNTY

O1 DNSTREAM NESESE 23 29N 36F URLLEY

RESERVOIR/LAKE HAME: ALVA RETENTION RESERVOIR

* PLBCE_OF_USE FOR_WILDLIFE:

HCRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESESE 23 29H 36E VALLEY

REDARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELITINGY DECREE FILK RIVER BELDY WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077131-00x(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERARTE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077131-00, W077132-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DONC DURING ITS

EXPANIANTION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LUNNESDLUED IF NO BUJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTHANA SUPREME COURT STATED: "II IS LEAR THEREFORE MINTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECRESTION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRATUE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW BRIES, VOLUMES, OR ACRES TRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO LATER RIGHTS IN ADJOINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR WOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETZ DETRILS REGARDING THE ONNC EXAMINATION RESULTS AND RELATED MATERIALS CAIN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED MOTICE OF EMBRY OF PRELIMINARY DETRES AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALLABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMES TO YOUR RIGHT, YOU OR DITACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, DR BY WRITING TO P.O. 80X 879, BOZEMAN NT 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077132-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OH THIS ABSTRACT MAY YAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONRCO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTAINA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITITIARY DECREE AND NOTICE OF AUXILBILITY."
LUNLESS GBACTED TO OR CALLED IN ON NOTION OF THE MONTHAN WATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE OF SCHOOM ON THIS ABSTRACT. (SEE SECTION 65-2-233, MONTHAN COOR ENHOTATED.) USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PO BOX 36800 BILLINGS 59107 PURPOSE_CUSE): STOCK * SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER PRIORITY_DATE: NOVEMBER 02, 1966 TYPE OF HISTORTON RIGHT: FILED FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. .62 AF **UDLUME:** PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUNTY _MEANS___ 01 NESESE 23 29N 36E VALLEY PIT RESERVOIR: OIR SEC SEC IMP RGE COUNTY NESESE 23 29N 36E VALLEY 01 ONSTREAM RESERUDIR/LAKE NAME: ALUA RETENTION RESERVOIR * PLBCE_DE_USE_FOR_SIDCK+ - OCRES LOT BLK GIR SEC SEC TWP RGE COUNTY 001 MESESE 23 29N 36E VALLEY REDARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTENUMBERE4001-4-077132-001(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCIORD WITH HISTORICAL PRACTICES. W077131-00, W077132-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, CR ACKES TRETORIED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJULTING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPPICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF SEE BEREKH FINITINGS OF FREIT AND CURLUSIONS OF LAW FOR PORTRE EXPLANATION OF VOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ROWLLABILITY." IF YOU NEED DISICTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN TIONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZERAN MT 59771-0079.

03/31/95 PAGE

DOES THINGRY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ARSTRACT OF WATER RIGHT CLATM

WATERERIGHTENUMBERE400x-W-077133-00

IMPORTANT MOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSTRACK (*2) MAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE MATURA RIGHT CLAIM EXMINATION MULES AS ADOPTED BY THE MONTHAN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCURDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALMSLITY."
HALESS OBJECTED TO DE CALLED IN MINITION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WHER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS RASSERVET. CSE SECTION 85-2-239, MONTHAN GOOD ANNOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800 BILLINGS ĦΤ 59107 PURPOSE_CUSED: WILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK SDURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DATE: JANUARY 31, 1954
TYPE OF MISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR. UDLUME: 18.80 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC INP RGE COUNTY MEANS 01 NUSESH 25 29N 36E VALUEY DAM RESERVOIR: QIR SEC SEC IMP_RGE_COUNTY____ O1 DHSTREAM NWSESW 25 29N 36E URLLEY RESERVOIR/LAKE MAME: WIRE CUT RETENTION RESERVOIR
CAPACITY: ______14_3 AC-ET DAM HEIGHT: _16_ET SURFACE FREA: _____24_8CRES SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE_DE_USE_EOR_WILDLIFE: ___OCRES____LDI_BLK__QIR_SEC__SEC__IMP_RGE_COUNTY_____

001 REMARKS:

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25 29N 36E UALLEY

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ARSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*MUMBER*400*-W-077133-00*(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CHUPPOSE) OF THE WATER IN ACCURDO WITH MISTORICAL PRACTICES.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS IMERE IS A QUESTION AS IN THE MALIDITY OF THIS C CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MUNTANN SUPERE COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1972, NO APPROPRIETION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DBIATHED BY COMPARING YOUR RIGHT WIN OTHER CLAIMS IN THE BBSH. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDJUES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRSINS OR SUBPRENTW AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE BENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIRE RIGHT. THESE FINDINGS FOR BE FOUND AS INDICATED IN THE DOCUMENT CHITILED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF HAVELABLITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHIRE COURT BY PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT BY CALLING 1-800-624-3270_(WILTIN, MONITAIN DULY) OR 1-405-586-336, OR BY WRITING TO P.O. BOX 879, BOZEMAN NY 59771-0879.

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ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077134-00

REMORKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRICT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED DR AMENDED. AN ASTRAISK (*) HAS BEEN PLACED MEXT TO ENCH ITEN CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WHITE RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MASSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077134-00x(CONTINUED)

REMARKS CONTINUED:

THE MATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILITHE USES OF THE SAME RIGHT INTE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE MATER RIGHT, RIGHT IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE IT USES CPURPOSE) OF THE WHIER IN ACCORD WITH MISTORICAL PRACTICES. WO77133-00, 0077134-00.

THE DINCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, JOLUMES, OR ACCES ITRIGATED. ALSO, YOUR WATER RIGHTS IN ADJUITING BASINS OF SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHER RIGHTS.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF AUMILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WHER RIGHT. THESE FINDINGS ORM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHERE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHERE CURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANNA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 80278M NT 59771-70879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4008-W-077135-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (X) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE PER-WITHENT OF MATURAR RESOURCES AND CONSECURATION CONTC) DURING THE EXAMINATION PLACESS. THESE CHANGES ARE AUTHORIZED BY THE NONTAMA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTIZE OF ENTRY OF PRELIMINARY DECREE AND MOTIZE OF AUMILIABILITY.—
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAM WHITE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE
SSHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTHAMA CODE ANNOTHED.) OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 ATLL INGS MT 59107 PURPOSE_(USE): STOCK UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: JULY 01, 1942 TYPE OF HISTORICAL RIGHT: USE FLOW ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. .39 AF UDLUME: PERIOD OF USE: JANUARY O: TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TYP RGE COUNTY __MERNS NESUSU 32 29H 36E URLLEY DAM 01 RESERVOIR: OIR SEC SEC IMP RGE COUNTY Q1 DNSTREAM NESWSW 32 29N 36E UALLEY RESERVOIR/LAKE NAME: UR-50 RESERVOIR CAPACITY: _____31.7 AC-FI DAM HEIGHT: _14 FI SURFACE AREA: ___7.47 BCRES SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE OF USE FOR STOCK : ___BCRES_____LOI_BLK__QIB_SEC__SEC__IMP_RGE_COUNTY_____ HWSESW 32 29N 36E UALLEY 32 29N 36E UALLEY UALLEY 200 NESWSW

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PRELIMINARY DECREE HILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTEHUMBERE400g-W-077135-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPLES DOES NOT INCREASE INE EXTENT OF THE WATER RIGHT, MATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICHL PRACTICES. WO77135-00, WO77135-00.

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WHIER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIBRITY DATES, FLOW RATES, VOLUMES, OR ACRES TRAIGATED. ALSO, YOUR WATER RIGHT TAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO OTHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIRN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER REGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS. OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAM CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WINER MOTIANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 697, BOZEMAN MT 59772-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077136-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMEZ) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OF THE WATER RIGHT CLATH EXPENDIATION RULES AS ADDRITED BY THE MONTHAMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALABILITY." UNLESS DBJECTED TO DR CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECRES SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MOTHAN CODE ARMOTATED.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK **RSIN 400**

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077136-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERM, PURPOSES DOES NOT INCREMSE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RICHORD WITH AUSTURILAL PRACTICES. WO77135-00, WO77135-00, WO77135-00, WO77135-00,

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXHIBITION OF THIS WATER RIGHT CLRIM. THESE ISSUES HAY REHAIN UNKESSLUED IF NO OBJECTIONS RRE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS IN THE DEPENDENT OF HIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MOUNTAINA SUPPERME COURT STATED: "IT IS LEEP THEREFORE THAT UNDER MOUNTAINA LAW SEFDRE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT "HROUGH A MURPHY RIGHT STATUTE."

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CAMMOT BE CONFIRMED DUE TO LACK OF DATA.

A SETTER LINGERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DOTATINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASTH. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNLUMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHITER RIGHTS IN ADJUNTAING BASINS OR SUBBRISHS AS WELL AS BEING USUBJECT OF THE RIGHT SOME SUBJECT OF THE RIGHTS ON YOUR SQUREE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DINC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED FROITCE DE FINTRY OF PRELITINARY DEFRE FOR SANIABLISTY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-684-3870 (WITHIN MONTAN ONLY) OR 1-406-586-4844, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077137-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS DEED A ACED MEXT TO SHOT ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN ANTER SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE PAGE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077137-OOg(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077137-00. W077137-00.

*** THE FOLDING ISSUE WERE IDENTIFIED BY THE DNRC DURING ITS **

EXAMINATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MRY RENAIM **

LUMRESCULOU IF NO BUSICIIONS ARE FILED. **

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERREDRY DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANNA SUPREME COURT STREED: "IT IS CLERK THEREFORE THAT UNDER MONTANNA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING FOUR RIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDULUTES, OR ACRES IRRIGATED. ALSO. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN HOJDINING BASINS OR SUBBRIST'S AS YELL AS BEING USBLECT TO DITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILISTITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DEFREE AND NOTICE OF ON AUGUSTALIAN OF THE AUGUSTALIAN OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATER+RIGHT+MIMBER#400#-W-077138-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESERCT THAY MUSE CARGES FROM YOUR WATER RIGHT AS CLARED OR PHENDED. HE REFERS C. 27 HAS BEEN FROM TO EACH ITEM FROM THE PROPERTY OF THE PHENDERS OF THE PHENDERS OF THE PHENDERS OF THE PHENDERS OF THE MONTHAN PROPERTY OF THE PHENDERS OF THE MONTHAN WATER CLUST OF THE WHER RIGHT CLAIR EXHIBATION FULLES AS ADOPTED BY THE MONTHAN STREET OF THE WATER CLUST OF THE WATER THE PHENDERS OF TH

DBJECTIONS MAY SEFILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGUSTILITY.

MALESS OBJECTED TO BR CALLED IN ON MOTION OF THE MOTIMAN MATTER COURT IN THIS DECREE, THE ELEMINS OF THIS CLATED WHERE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWEN ON HIS ABSTRACT. (SEE SECTION 65-2-23), MOTHAN COOR ANNOTATE.

DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36BOO 59107 ATI LINGS MT PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF ANTELOPE CREEK : SOURCE : SOURCE TYPE: SURFACE WATER PRIDRITY DATE: HOUEMBER 14, 1967 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. - 40 AF **UOLLITTE:** PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION . LOT BLK OIR SEC SET INP BGF COUNTY MEANS 01 NWSWSE 35 29N 36F URLLEY PTT RESERVOIR: QIR_SEC_SEC_IVP_BGE COUNTY... N1 DINSTREAM NVSVSE 35 29N 36E UALLEY RESERVOIR/LAKE NAME: TEARS RETENTION RESERVOIR * PLACE OF USE EDR_SIDCK : GCRES. LOT BLK OIR SEC SEC IVP RGE COUNTY NWSWSE 35 29H 3 TE UALLEY

001 REDERKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DUES NOT INCREASE THE

PRELIMINARY DECREE HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BRSH 400

ABSTRACT OF VATER RIGHT CLAIM

WATERWRIGHTENUMBERE4000x-W-077138-00x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077137-00, W077138-00.

INE DANC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WHER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTRAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES INTRIBATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTFRED AT THE DOFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF AVITY OF PRELIMINARY DECRE AND NOTICE OF AVAILABILITY."

SEE GEMERA: "INDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIF TO WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT FAITLED "POTICE OF BITTY OF FREI LININARY DEFRE AND MOTICE OF BRILLABIL TY." IF YOU NEED OBJECTION FORMS. OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CAMAGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT OF CALLING 1-800 -624-3270 (YIMIN HATRING DILY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX F79, BOZEMAN HT SETTIOSTS.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERTENTENDINBERE4002-W-077139-00

THPORTRNT NUTTUE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT THAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRIKEN C.*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCE) DURING THE EXAMINATION PROCESS. THESE CHANGES REE MUTHORIZED BY THE MONTANA WATER CHANT. THE WATER RIGHT CLAIM EXAMINATION FULLES AS ROOPTED BY THE MOTTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ANYALTY OF PRELIGIANRY DECREE AND NOTICE OF ANYALTHY."
UNLESS DESCRED TO DIK CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS ABSTRACT. (SEE SCIIM 85-2-23), MOTHAN CODE ANYOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 ATI I THES MT. 59107 PURPOSE (USE): STOCK SDURCE: UNNAMED TRIBUTARY OF BOB COULEE SOURCE TYPE: SURFACE WATER # PRIDRITY DATE: DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW RAIE: THIS ONSTREAM RESERVOIR . UDLUME: -62 RF PERTOD DE USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC IVE RGE COUNTY ... MEANS 01 (GOVT) 6 NWSW 06 29N 37E JALLEY DAM RESERVOIR: OIR SEC SEC INP. RGE COUNTY O1 ONSTREAM NUSW D6 29N 37E WALLEY # PLACE OF USE_FOR_STOCK: BCRES LOT BLK QIR SEC SEC TUP RGE COUNTY 001 (EBUT) 6 NWSW 06 29N 37E UALLEY

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03-31/95 PRELIMINARY DECREE PAGE 3,238 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 30,238 PAGE 300

WATERARIGHTANUMBERA400x-W-077139-001(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077139-00, W077139-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DOTAINED BY COMPARING OR YOUR RIGHT WITH OTHER CLAIMS IN THE BESTM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RAYES, UNLUSES, OR ACCES IRRIGATED. ALSO, YOUR WHER RIGHT HAY BE SUBJECT TO DIMER RIGHTS IN ADJUINING BRISHO SK USBESTIMS SELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIANCE FREEDOM ASSEMBLY SHE RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND 85 INDICATED IN THE CONCLUMENT ENTITLE OF ENTRY OF PELITAZHARY DOCKER AND NOTICE OF ANALIABILITY." IF YOU WEED BIRTLY FREATHAND OUTSTIONS ABOUT WATER COURT
PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING
1-000_564-320 (WITHIN MONTARD BOXY) ON 1-406-586-4364, OR BY WAITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER_CREEK_INCLUDING PORCUPINE CREEK

BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077140-00

IMPORTANT NOTICE

YOURS WATER RIGHT AS SHOWN ON THIS RESTRACT THAY HAVE CHOUSES FROM YOUR AVER REIGHT AS CLAIMED OR AMERICAD. AN ASSENSEX C.) HAS BEEN BACED NEXT ID EACH ITEM CHANGED BY THE DEPARTMENT OF MITURE, RESQUENCES AND DIMERKIOTISM CONFIDENCE DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM MATER COLURT OR THE MATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHAM HATER COLURT OR THE MATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHAM HATER COLUMN THE TOWN OF THE MONTHAM HATER COLUMN THE MATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHAM HATER COLUMN THE MATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHAM HATER COLUMN THE MATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTHAM HATER COLUMN THE MONTHAM HATE

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ADMILLABILITY."

LINLESS DBJCTED TO OR CALLED IN ON MOTION OF THE MOTHAN MATTER COURT IN THIS DECREE, THE GLERENTS OF THIS CLAIMED MATTER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON HILS ABSTRACT. (SEE SECTION 85-2-23), MOTHAN COURS ANNOTHED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HGMT)
PO 80X 36800
BILLINGS HT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE SOURCE TYPE: SURFACE WATER

* PRIDRITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

UDLUME: 4.38 AF

PERIOD DE USE: JANUARY DI TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVER JOH:

RESERVOIR:

OTR SEC. SEC. TWP RGE. COUNTY.

O1 DNSTREAM NUSW 06 29M 37E URLLEY

* PLOCE DE USE EDR WILDLIEE:

__BCRES____LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY.____

OOI (GOUT) 6 NWSW 06 29N 37E VALLEY

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SECERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE NILK RIVER BELOW WHITEWATER ORECK INCLUDING PURCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002-4-077140-004(CONTINUED)

REPARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077139-00, W077139-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS

EXPAILMATION DO THIES WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LUNRESQUED IF NO DOBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UPALIDITY OF THIS CAINED RIGHT. IN THE ATTER OF THE DERRORM ORBINAGE REER, 234 MONT, 343 (1988) (THE BERN LAKE CASE) THE MONTHAN SUPPERHE COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECRETION, FISH NOU ULCLIFE, EXCEPT THOUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN . FOR EXAMPLE, COMPARE PRIORITY DATES, FLC'U JAITES, NOLUMES, DR ACRES TREIGATED . ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

CORT-ETE DETAILS REGARDING THE DHRC EXMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DESCRIPTION OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, BOZEMAN MT 5977-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWRITE CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER # RIGHT # NUMBER # 400 # - 0 - 077141 - 00

**** THIS WATER RIGHT CLAIN HAS BEEN TERMINATED *****

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO 80X 36800 BILLINGS MT 59107

PLIRPOSE_CUSE: STOCK

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD_DE_USE:

POINT_OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TVP RGE COUNTY MEANS

NWSW 06 29N 37E VALLEY DAM

RESERVOIR:

01

PLACE_DE_USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED # AS THE CLAIMANT WITHDREW THE CLAIM. #

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTIFE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAIMBLITY."

UNLESS DBJECTED TO DE CRILED IN HOTION OF THE MONTAMA WATER COURT IN THIS DECREE, THE ELEMINS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MASTRACT. (SEE SECTION 85-2-233, "MONTAMA CODE ANNOTATED."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE ODCUMENT ENTITLED "NOTICE OF ENTITY OF PRELIMINARY DEFCREE AND MOTICE OF AWAIL ABILITY." If YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHERE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT, HE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HOW THAN DINLY) OR 1-406-586-4364, OR 8Y WRITING TO P.D. BOX 879, BUZERAM MT 59771-0879.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-0-077142-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT)
PO BOX 36800

MT 59107

BILLINGS
PURPOSE (USE): VILOLIFE

SOURCE: UNMAMED TRIBUTARY OF 808 COLLEE

PRIDRITY DATE:

FLOW PATE:

VOLUME:

PERIOD OF USE:

POINT DE DIVERSION AND MEANS OF DIVERSION:

LOT BUK OTR SEC SEC TWP RGE COUNTY

__DEONS__ DAM

01

NUSU O6 29N 37E UALLEY

RESERVOIR:

PLACE DE USE FOR VILCLIFE :

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DIRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED * RES THE CLAIMANT WITHDREN THE CLAIM.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF A OWNIGHBLITY." UNLESS OBJECTED TO OR CALLED IN OH MOTION OF THE MOSTANA WATER COURT IN THIS DECREE, THE ELEMINS OF THIS CLATTED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MOTHARA CODE ANNOTATE.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLE OF HOTIZE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILBLITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHMA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. "ON 879, BOZEMAN TS 5977-1-0639.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRITER:RIGHT::NUMBER:400:-W-077143-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED DR AMENDED. AN ASTRACTS AND SEEN PLACED MEXT TO EACH LIFE CHANGED BY THE DEPARTMENT OF MATURAL RESURECES AND COMPERCATION CONC. DURING THE EXPRIMATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WHER COUNT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM BY SUPREME COLURY.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND MOTICE OF AUALIBBLITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIFIAN WATER COURT IN THIS DECREE. THE ELEMINS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINHL DECREE AS SHOWN ON THIS ASSIGNACT. CSEE SECTION 05:2-233, MOTIFIAN CODE REMOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PO BOX 36800 BILLINGS 59107 PURPOSE CUSE): VILOLIFE UNHAMED TRIBUTARY OF HAY COULEE SOURCE TYPE: SURFACE WATER SOURCE : * PRIORITY DATE: DECEMBER 31, 1936 TYPE OF HISTORICAL RIGHT: USE FLOW_RATE: NO FLOW RATE HAS BEIN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. VOLUME: 10.58 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDI BLK OTR SEC SEC IVE RGE COUNTY MEANS NESWNE O9 29N 37E UALLEY Dan RESERVOIR : DIR_SEC_SEC_IMP_RGE_COUNTY____ 01 UNSTREAM NESWNE OF 29N 37E VALLEY * PLOCE_DF_USE_EDR_WILDLIFE: __BCRES___LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____ MESUNE D9 29N 37E VALLEY 001 REUBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE M.F.K RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 8951N 400

AZSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077143-00g(CONTINUED)

REMARKS CONTINUED:

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2

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO PATERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER TH ACCORD WITH HISTORICAL PRACTICES. W077143-00, W077144-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS

E EXAMINATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REHAIN

LUMRESOLUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORM DRAIMAGE REPLAY 238 AND 1.343 (1988) (THE BERN LEKE CASE) THE HONTAWAS QUEENE COURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTAWA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLLIFE, EXCEPT THROUGH A PURPHY RIGHT STATUTE."

A SETTER UNDERSTMOTE OF YOUR CLAIMED WATER RIGHT CON SE DETRIMED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BESTM. FDE EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UNLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY SE SUBJECT TO WATER RIGHTS OF MODITAINED SENIES OF SUBBRISHS AS SELL AS SELFEN SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL PESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL PESERVED WATER RIGHT.

COMPLETE OFTAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF MOTICE OF RIVERY OF PRELITANARY DEFCREE AND NOTICE OF WARTLABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMESE TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 4079, BUZEMAN MT 5977-10879.

03/31/95 PRGE 3.245

PRELIMINARY DECREE MILK RIVER BELGW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF MALES PIGHT CLATH

WATERERIGHT ENUMBERS 4002-W-077144-DD

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CURNIGES FROM YOUR WATER RIGHT AS CLAIMED OR RHENDED. AN ASTERISK (2) MAS BEEN PLACED NEXT TO ENCLITEN HAVED BY THE DEPARTMENT OF MATUREN, RESOURCES AND COMERCHATION (DARC) DUTING THE EXPRIMATION PROCESS. THESE CHANGES HAVE MATURED BY THE MONTHAM WHER COUNT OF THE MONTHAM WHER COUNT OF THE WATER RIGHT CLAIM EXPRIMATION RULES AS ADDITED BY THE MONTHAM SUPPERF COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIBBILITY." UNLESS OBJECTED TO BE CALLED IN MOTION OF THE MOTHAN MATER COURT IN THE SCHOOL THE MOTION OF THE MOTION OF THE MOTION OF THE DECREE AS SHOWN ON THIS RESTRICT. (SEE SECTION 65-2-23), MOTIMAN CODE ANNOTATE.)

IMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE CUSE): STOCK SOURCE : UNNAMED TRIBUTARY OF HAY COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE: DECEMBER 31, 1936
TYPE DE HISTORICAL RIGHT, USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS DISTREAM RESERVOIR. **UDLUME:** .62 AF PERIOD DE USET JANUARY OF TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION! LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNE O9 29N 37E VALLEY DAM RESERVOIR: QIR_SEC_SEC_IMP_RGE_COUNTY_____ OI DISTREAM NESWNE O9 29H 37E UALLEY * PLOCE_DE_USE_FOR_STOCK: ___OCRES____LDI_BLK__DIR_SEC_SEC_IMP__RGE__COUNTY_____ 001 NESWNE OF 29N 37E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULITIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3.246

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BOSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATER RIGHT SMURBER # 400 # - W-077144-00 # (CONTINUED)

REMODES CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETENATE RAND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PROCTICES. NO?7143-00. NO?7143-00.

THE DIRC EXMINATION OF THIS CLAIR FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WITER COURT.

A SETTER UNDERSTANDING DE YOUR CLAIRED MATER RIGHT CAN SE OSTATAD BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY ONTES, FLOW RATES, VOURSES, OR ACCES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJITHING BRISINS OR SUBBASINS AS VELL AS SETING SUBJECT OF OTHER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVE DAYN FEDERA, RESERVED WATER RIGHTS.

COMPPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DE PRELITITIARY SCREE AND NOTICE OF ANAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLMENT HITTED PAYTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ALASILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTECT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 980X 8079, 80ZEMBM MT 5877-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077145-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND COMPERENTION CHARCO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTANA SUPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTILED -MOTICE OF ENTRY OF PRELITIANRY DECREE AND MOTICE OF AURIL BELTIV. - UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATED WATER RIGHT WILL REPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.) DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND WGMT) PO BOX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE SOLIRCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: MOVEMBER 16, 1967
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE : NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UOLLIME**: 3.38 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TYP RGE COUNTY MEBUS Ωı SWMESE 15 29M 37E VALLEY DAM RESERVOIR: OTR SEC SEC TYP BGE COUNTY 01 ONSTREAM SWNESE 15 29N 37E URLLEY * PLBCE_DF_USE_FOR_WILDLIFE: __BCRES___LOT_BLK__OTB_SEC__SEC__TWP__RGE__COUNTY_____ 001 SWNESE 15 29N 37E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRISH 400 BRISH 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077145-00E(CONTINUED)

REMARKS CONTINUED:

2

 THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER TH ACCORD WITH HISTORICAL PRACTICES. W077145-TO, W077146-TO.

THE FOLLOWING ISSUES WERE LIGHTIFIED BY THE DRC DURING ITS
E EXAMINATION OF THIS WATER RIGHT LIAIN. THESE ISSUES MRY REMAIN \$
E LIMMESOLUED IF NO BOJECTIONS ORE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRAINAGE REE, 234 MONI. 343 (1988) (THE BEAN LAKE CASE) THE MONIANS SUPERIOR COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONIAN AUGUSTA BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECKENTION, FISH AND WILDLIFE, EXCEPT THROUGH A BURNHY KIGHT STATUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBIDINED BY COMPARING YOUR RIGHT WIN OTHER CLAIMS IN THE BUSIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UQUEES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BRISIS OR SUBBISING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMENTY DECREE AND NOTICE OF HUMINABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIES OF MOTICE OF ENTRY OF PRELIMINARY DEFCREE AND NOTICE OF ROAIL BRILLIN." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0079.

PRELIMINARY DECREE PRELIMINARY DECREE MILK RIUER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ADDRESS 400

WATERERIGHTENUMBERE 4005-W-077146-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHENGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHAMMAGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (ONEC) DURING THE EXAMINATION PROCESS. THESE CHAMGES ARE AUTHORIZED BY THE MONTANA WATER CRUMKT IN THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER CRUMKT IN THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITARRY DECREE AND NOTICE OF AUGULABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA MATER COURT IN THIS

Š	SHOWN ON THIS	NTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
	PO BI	CDEPT OF INTERIOR BUREAU OF LAND MGMT) IX 36000 NT 59107
	PURPOSE_(USE)	STOCK
	SOURCE:	UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER
	PRIORITY_DOTE	: NOVEMBER 16, 1967 TYPE OF HISTORICAL RIGHT: USE
	ELON BRIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	VOLUME:	.62 AF
	PERIOD_DE_USE	JANUARY O1 TO DECEMBER 31
*	POINT OF DIVE	RSIDM_AND_MEANS_DE_DIVERSION:
		LDI BLK OIR SEC SEC IMP RGE COUNTY MEANS
	01	SWMESE 15 29M 37E URLLEY DAM
	RESERVOIR:	
		OIR_SEC_SEC_IMP_RGE_COUNTY
	O1 ONSTREAM	SWHESE 15 29M 37E URLLEY
*	PLACE DE USE	EDR_SIDCK:
	82	RESLOI_BLKGIR_SEC_SEC_IMP_RGE_COUNTY
	001	SWHESE 15 29H 37E VALLEY
	REMORKS:	
	MULTIPL	SR RIGHTS LISTED FOLLOWING THIS STATEMENT ARE E USES OF THE SAME RIGHT. THE USE OF THE RIGHT ERAL PURPOSES DOES NOT INCREAUSE THE EXTENT OF

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PRELIMINARY DECREE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-4-077146-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077145-00, W077146-00.

THE ONCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, : DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING DE YOUR CLAIMED WATER RICHT CAN DE OBTAINED BY COMPARING YOUR RIGHT WIN ONDER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRILY DATES, FLOW RATES, JOLUMES, OR GARRES IRRIGATED. ALSO, YOUR WHIER RICHT HAY DE SUBJECT TO WATER RICHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BETTM SUBJECT TO OTHER RICHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED WHITIED OF ENTRY OF PRELIFINARY DECREE AND NOTICE OF ANALISELIST.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAYING WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTRO! THE WHERE COURT BY CALLING 1-000-624-3270 (WITHIN HONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 679, BOZEMAN MT 59772-0379.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIM 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077147-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHIMM ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MERCHED. AN ASTERISK (2) HAS BEEN PLACEDNEST TO ECCL TIEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONECO DICTION THE EXAMINATION PROCESS THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARRY DECREE AND NOTICE OF AUMILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 05-2-239, MONTHAN CODE RENDITATED.

H5	SHOWN ON THIS HUSTRACT. (SEE SECTION 85-2-233, HUNTRAR CODE KANDIHIED.)
	OWNERS: USA (CEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800
	BILLINGS MT 5910?
	PURPOSE_CUSE2: WILDLIFE
*	SOURCE: UNNAMED TRIBUTARY OF BOB COULEE SOURCE TYPE: SURFACE WATER
	PRIORITY DRIE: SEPTEMBER 29, 1937 TYPE OF HISTORICAL RIGHT: USE
	ELDW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR.
	<u>YDLUME</u> : 4.?7 AF
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
¥	POINT DE DIVERSION_AND_MEANS_OF_DIVERSION:
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*	PLACE_DE_USE_FOR_WILDLIFE:
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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES MOT INCREASE THE EXTENT OF

REDORKS:

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077147-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RAITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077147-00. W077149-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESCULUDE IF MO SOLICITIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIMED RIGHT. IN THE MRITER OF THE DERROWN DRAINAGE AREA, 234 MONT. 343 C1980) (THE BERAN LAKE CASE) THE MONTHANA SUPREME COURT STATED: "IT IS CLEAR HIEREFORE THAT UNDER MONTHAN AU BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFF, EXCEPT THROUGH A NURPHY RIGHT STATUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBIAINED BY COMPARING YOUR RIGHT WITH OITHER CLAIMS IN HIE BASHM. FOR EXAMPLE, COMPARE PRIDETLY DRES, FLOW RATES, UDLUMES, OR ACCES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJURNING BASHDESSINS AS WELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY JECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE SOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTARM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX B79, BOZEMAN MT 5971-0879.

03/31/95

PRELIMINARY DECREE PAGE 3,253 NILK RIVER BELOW WHITEWITE CREEK INCLUDING PORCUPINE CREEK BR53M 450

ABSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENUMBERE 4002-W-077148-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLARKED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (CMRC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHAN ANTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA MATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.** D

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#4002-W-077148-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURO WITH HISTORICAL PRACTICES. W077147-00, W077148-00.

THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, VOLUMES, OR ACRES INTRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REFUED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF FAIRLIBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "FOUTIE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT INE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, 802EARA NT 59771-0079.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER KREK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT: NUMBER: 4001-W-077149-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEN CHANNESD BY THE DEPARTMENT OF ANTURAL RESOURCES AND CONSERVATION CONECD DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OR THE WHER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."
UNLESS DBJECTED TO BE CALLED IN ON MOTION OF THE MOTIFAR WATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
S SHOWN ON THIS MASSIRACT. CSEE SECTION 85-2-233, MONTHAIN CODE ANNOTATES.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO 80X 36800 BILL THGS 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER **■ SOURCE:** PRIDRITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW RATE: UDLUME: .62 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC INP RGE COUNTY MEONS_ 01 EZNUNU 20 29N 37E VALLEY DAM RESERVOIR: ____OIR_SEC_SEC_IMP_RGE_COUNTY EZNWNW 20 29N 37E VALLEY OI DISTREAM * PLACE OF USE FOR SIDCK: ACRES LOI BLK GIR SEC SEC IMP RGE COUNTY 001 ESHAHA 20 29N 37E VALLEY

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SCUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLRIM

WATERERIGHTENUMBERE4002-W-077149-DOZ COONTINUED)

REMORKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

MO77149-00. M077150-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \$
DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BORSTH. FOR EXAMPLE, COMPARE PRIDETLY DATES, FLOW RATES, UNLIMES, OR ACRES IRRIGHTED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BRISHS OR SUBBRISH SHELL AS BEING SUBJECT OF THE RIGHT FAN YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODILE OF ENTRY OF PRELIMINARY DELIKE AND NOTICE OF ANALIMBLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RUALLBBILITY." IF YOU MED 0BJCCTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTRM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BDX 879, BDZEMAN HT 5977-10879-

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077150-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#) MAS SEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HAVIRAN, RESOURCES AND CONSERVATION COMPRED DURING THE EXPANINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELITAINARY DECKEE AND MOTICE OF AURILABILITY." BULLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVARIA MATER COURT IN THIS DECKEE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECKEE AS SADOMN ON THIS ASSTRACT. (SEE SECTION 85-2-23), MOTIVAN COOK ANNOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MONT) DWMERS: PO BOX 36800 BILLINGS RT 59107 PURPOSE_(USE): VILOLIFE UNNAMED TRIBUTARY OF AMTELOPE CREEK : SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT, USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. 4.38 RF UDLUME: PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUN'Y ___MEANS 01 EZNUNU 20 29N 37E URLLEY DAM RESERVOIR : OIR SEC SEC INP BGE COUNTY O1 ONSTREAM F2NWNW 20 29N 37E UALLEY * PLACE OF USE FOR WILDLIFE: ___ACRES____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____ 001 EZNWNW 20 29N 37E URLLEY REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95

MILK RIVER BELOW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK RACTH AND ARCH AND PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400±-W-G?7150-00±(CONTIMUED)

REMARKS CONTINUED:

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* İ THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077149-00, W077150-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS IMERE 15 H QUESTION AS 10 THE UPILIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORM DARIHAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MONTHANA SUPPENE COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDER MONTHANA LAW BEFORE 1973, MG APPROPRIETION RIGHT WAS RECOMPLIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR KIGHT WITH OTHER CLAIRS IN THE BRSIN. FOR EXAMPLE, COMPARE PRIORITY DATE, FLOW MATES, VOLUMES, OR ACKES IRRIGHTED. ALSO, YOUR WHITE KIGHT HAY BE SUBJECT TO WATER RIGHTS IN DUDLINING BRSING OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WHER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WAS RESERVED WAS THE RIGHT MAY BE SUBJECT TO INDIAN RESERVED WAS RESERVED WAS REFERRED.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE HAN ONTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLI'S 1-800-624-3270 (WITHIN HONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE NILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLATM

WATER:RIGHTENUMBER: 400:-W-077151-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SMOWN ON THIS RESTRACT MAY MAVE CHOMESS FROM YOUR WATER RIGHT AS CAIMED DR AMERICAD. HE HESTELSK CO HAS BEEN ARCED HEAT TO ERCH STEEL THE CHAMBED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCO. DULING THE EXAMINATION PROCESS. THESE CHAMES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTHAN WATER SUPPORE COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECKER AND NOTICE OF AUAILABILITY."
UNLESS OBJECTED TO OR CALLED IN NOTION OF THE NOTHINA MATER COURT IN THIS DECKER, THE ELEMENTS OF THIS CLAIMED MATER RIGHT WILL APPEAR IN THE FIRM. DECKER RS. JOHN ON THIS ABSTRACT. (SEE SECTION 95.2-233, NOTHINA CODE ANNOTATE).

DWHERS: USA COEPT OF INTERIOR BUREAU DE LAND MONTO PO 80X 36800 MT 59107 PURPOSE_CUSED: WILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY_DATE: NOVEMBER 02, 1966 TYPE OF HISTORICAL RIGHT: FILED FLOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. UOLUME: 3.38 AF PERTOD OF USE: JANUARY DI TO DECEMBER 31

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RESERVOIR/LAKE NAME: COW RETENTION RESERVOIR

* POINT OF DIVERSION AND MEANS OF DIVERSION:

* PLACE_DE_USE_EDR_WILDLIEE:

___BCRES____LOI_BLK___QIR_SEC_SEC_IMP_RGE_COUNTY____

BEDBERS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE TIE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK 53SIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERI 4001-W-C77151-001(CONTINUED)

REMARKS CONTINUED:

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERMINE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077151-00, W077152-00.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEFENDING DRAINAGE REFAIL S. OF THE DEFENDING DRAINAGE REFAIL S. OF THE MATTER OF THE DRAINAGE S. OF THE MATTER OF THE S. OF THE MATTER OF THE S. OF THE

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE ORTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXMPHE, COMPARE PRIORITY DATES, FLOW RATES, OLLUMES. OR ACRES IRRIGATED. BLSO. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBRISINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MOTICE OF ANALYBLITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BHILLED "NOTICE OF FURTHER FOR PRESENT HINRAY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONIANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P. O. 80X 879, 80ZEMAN MT 5477-10879.

03/31/95 PRELIMINARY DECRETE PRELIMINARY DECRETE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRITERIRIGHTINUMBERI 4001-W-077152-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRICT MRY HAUE CHANGES FROM YOUR WATER RIGHT AS CAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PARED MEXT TO EACH ITEM CHANNEDS BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTROL THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT ON THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTANA SUPPRETE COURT.

OBJECTIONS HAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY.

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		PO BOX 36800 BILLINGS	H	T 59107			
	PURPOSE	(USE): STOCK					
	SOURCE:		TRIBUTARY TYPE: SURF	OF ANTELOPE C ACE VATER	REEK		
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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077152-00ECCONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077151-00, W077152-00.

*** THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATH, OR ISSUES TO REPORT TO THE MATER COURT. **

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDUES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE OMRC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTIOE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIABILITY." IF YOU MED DOJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAN DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879. BDZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITKEITINGS DELECTIONS PORCUPINE CREEK MOLIUMING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WRITERIRIGHTINUMBERIACOUX-V-077153-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERISK (**) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPORTMENT OF MATURAL RESOURCES AND CONSERVATION CONNEX) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAIL ABILLTY." DE

τ	ESS DECELT TO WE CHEET IN ON THE ROTTON WHER RESERVED AND THE FINAL DECREE SHOWN ON THIS RESTRACT. CSEE SECTION 85-2-23, MONTANA CODE ANNOTATED.)
	DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MCM1) PO BOX 36800 BILLINGS MT 59107
	PURPOSE (USE): WILDLIFE
	SOURCE: UNMAMED TRIBUTARY OF ANTEL OPE CREEK SOURCE TYPE: SURFACE WATER
	PRIORITY_DRIE: NOWEMBER 15, 1967 TYPE OF HISTORICAL RIGHT: USE
	ELOW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR.
	YDLUBE: 2.38 AF
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
K	POINT_CE_DIVERSION_AND_MEANS_OE_DIVERSION:
	LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS
	OI SESESE 22 29% 37E UALLEY DAM
	RESERVOIR:
	OIR SEC SEC 1MP RGE COUNTY
	O1 ONSTRERM SESSES 22 29N 37E VALLEY
*	PLACE_DE_USE_EDR_WILDLIEE:
	BCRESLOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY
	001 525E5E 22 29N 37E UALLEY
	REDORKS:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASES THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERI 4001-W-077153-001(CONTINUED)

REMORKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077153-00, W077154-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRECT DURING ITS

EXAMINATION OF THIS WATER RIGHT (LAIN. THESE ISSUES MAY REMAIN

LINESQUED IF NO DOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIRED RIGHT. IN THE MATTER OF THE DERROORN DRAINAGE REED, 234 MONT. 343 (1980) (THE BERN LAKE CASE) THE MONTAMA SUPREME COURT STATED: "IT IS CLEAR THEMPEONE THAT UNDER MONTAMA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILLUIFF, EXCEPT THROUGH A DURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW MATES, UDLUMES, OR ARRES TRRIGATED. M.SO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BESING OR SUBMISSING AS WELL AS ELENG SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WHIER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAYER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEVED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND HOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF FRELITANRRY DECREE AND NOTICE OF AUALLBALLTY." IF YOU NEED OBJECTION FORRS, OR HAVE QUESTIONS ABOUT WHITER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROLT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HONTHINA DRLY) OR 1-406-586-4364, OR BY WRITING TO P. D. EON 879, BOZEMAN HT 5871-10879.

03-31/95 PRELIMINARY DECREE PAGE 3,205 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERTCHTENUMBER # 4002-W-077154-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACTS (2) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESURDES AND COMPREVENTION COMPREY DURING THE EXAMINATION PROCESS. THESE CHANGES REFERDINGIZED BY THE MONTAINA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTAINA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY.UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN BUTER COLORY IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHER RIGHT WILL APPEAR IN THE FIRML DECREE AS SHOWN ON HIS ABSTRACT. (SEE SECTION BS-2-233, MONTHAN CODE ANNOTATED)

•	Should by 11125	THE SECTION OF ESS, NOTTHIN CODE AND	GINIEU.)
	OWNERS: USA CO PO BOX BILLII	DEPT OF INTERIOR BUREAU OF LAND MGMT) × 36800 NGS MT 59107	
	PURPOSE_CUSE2 :	STOCK	
	SDURCE:	UNNAMED TRIBUTARY OF ANTELDPE CREEK SOURCE TYPE: SURFACE WATER	
	PRIORITY_DATE :	NOVEMBER 15, 1967 TYPE OF HISTORICAL RIGHT: USE	
	ELOW_RRIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.	
	ADTABE:	.62 AF	
	PERIOD_DE_USE =	JANUARY 01 TO DECEMBER 31	
*	POINT DE DIVERS	SION_BND_BEBNS_DE_DIVERSION:	
		LOT BLK OIR SEC SEC IVE BGE COUNTY DEAT	/S
	01	SESESE 22 29N 37E UALLEY DAM	
	RESERVOIR:		
		OTR.SEC SEC. TAP. BGE COUNTY	
	D1 DHSTREAM	SESESE 22 29H 37E URLLEY	
1	PLOCE DE USE E	DR_SICK:	
	BCR	RES LOT BLK OIR SEC SEC IMP RGE CO	יייייייייייייייייייייייייייייייייייייי
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	REDARKS:		
	MULTIPLE	ER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE USES OF THE SAME RIGHT. THE USE OF THE RIGHT ERGI PURPOSES THE EXTENT OF	

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRTER*RIGHT*NUMBER*400*-W-077154-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077153-00, W077154-00.

THE DNCC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRICAITY DATES, FOW RATES, UDLUMES, OR ACRES IRRICATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE UFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF AUGILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTENT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAM OHLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN MT 5977-30879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077155-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (**) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HAURAL RESOURCES AND CONSERVATION CONCEDUATION THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAWA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAWA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF RUMILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE "INTAMA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE AS SHOWN ON THIS RESERVANT. (SEE SECTION 65-2-233, MONTHAN CODE ARMORITEL).

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PO BOX 36800 ATI I THES **HT** 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER SOURCE : PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UBLUME:** 134.3B AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION : LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS 01 WASERM 30 SAN 37E MALLEY DRM RESERVOIR: OTR SEC_SEC_TWP_RGE_COUNTY DNSTREAM WESERW 30 29N 37E URLLEY RESERVOIR/LAKE HAME: UR-14 RESERVOIR CAPACITY: _____135_0_8C-EI DAM HEIGHT: _12_EI SURFACE AREA: __31_3Q_ACRES THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC. SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR * PLACE_DE_USE_FOR_WILDLIFE:

OCRES LOT BLK OIR SEC SEC INP RGE COUNTY

EZEZNE

SWHUME

20 C53H 237E

VALLEY

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077155-00*(CONTINUED)

PLACE OF USE CONTINUED:

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SZNU 30 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PUMPOUSES DOES NOT INCREASE THE RIGHT THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERIATE AND EXCHANGE THE USE CPUMPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 9077155-00, WO77156-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK OURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF MO DEDECTIONS ARE FILED. x 1

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMAGE AREA, 234 MONT. 343 (1988) CHE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: SIT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR REFRENTION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE COMPARE PRIORITY ORIES, FLOW RATES, UCLUMES, OR ROCKES IRRIGATED. ALSO, YOUR WHIER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISINS OR SUBBRISINS BY BULL AS EXING SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETRILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED HATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED THE DOCUMENT ENTITLED "MOTICE OF ENTRY DE PRELIMINARY DECREE AND NOTICE OF RUBLIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE

MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077156-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR MATER RIGHT AS CLATHED OR MEMBED. AN ASTERISK (\$2 HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREL RESOURCES AND CONSERVATION CONCO DURING THE EXMITMATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WHITE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN HATER SUPPERIE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE OCCUMENT ENTILED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGUSTALINY-UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVAND MATER COURT IN NIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER FIGHT WILL APPEAR IN THE FIRML DECREE AS SAGWIN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAN COOR ANNOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: BILLINGS 59107 PURPOSE CUSED: STOCK UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE : SOURCE TYPE: SURFACE WATER PRIORITY_DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. .62 AF VOLUME: PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS WESENW 30 29M 37E UALLEY 01 RESERVOIR: OIR SEC SEC IMP RGE COUNTY 01 ONSTREAM WASERM 3D 29N 37E URLLEY RESERVOIR/LAKE NAME: UR-14 RESERVOIR
CAPACITY: _____135_0_BC-EI DAM HEIGHT: _12_EI SURFACE AREA: __31_3Q_BCBES THE SURFACE AREA HAS BEEN ESTIMATED BY ONRC. SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE_DE_USE_EDR_SIDCK: ACRES LOT BLK QTR SEC SEC IMP RGE COUNTY

> 37E VALLEY ESESNE 25 E29N 2 VALLEY

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077156-00g(CONTINUED)

PLACE OF USE CONTINUED:

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SZNW 30 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE DARC EMAINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE MATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES INSTIGATED. ALSO, YOUR WATER RIGHT IN ADJUITING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DATE EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE DEFICE LIGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "MOTITE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RUALIABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PRODEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT IT HE WATER COURT BY CRILING 1-BOO-624-3270 CWITHIN MONTANA DHLYJ OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 89, BOZEMAN MT 55971-0879.

PRELIMINARY DECREE PAGE 3,271 MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,271 BASIN AND ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077157-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE DUBYES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERVEK (2) HAS BEEN PLACED MEXT TO CHANGED BY THE DEPARTMENT OF MICH RESEDUNCES HAD CONSERVATION PROCESS. THESE CHANGES HAD CONSERVATION PROCESS. THESE CHANGES HAVE EXPENDED BY THE WATER WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOTED BY THE MONTHAM

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REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077157-002(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLIERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTOTICAL PRACTICES. W077157-00. W077158-00.

THE DWRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x to DATH, OR ISSUES TO REPORT TO THE WHITE COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, UDLIMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT TAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHITLED "POINTIE OF ENTRY OF FREININGRY DEFER AND NOILE OF AUAILABILITY." IF YOU NEED OBJECTION FURTS, OR HAVE QUESTIONS ABOUT WATER COURT RYROCCOURS OR CHANGES TO YOUR KIGN! YOU CAN CONTACT HE WATER COURT BY CALLING 1-BOO-624-3270 (WINTIM MONTANP ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 55:71-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4001-4-077158-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE JEPART MENT OF MATTER. RESOURCES AND LONGROWNING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHER WATER RIGHT CLAIR EXAMINATION RULES AS ADDITED BY THE MOTHER WATER RIGHT CLAIR EXAMINATION RULES AS ADDITED BY THE MOTHER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DEFER AND MOTICE OF AUGIL HAILITY." UNLESS OBJECTED TO OR CALLED IN MINIOR OF THE MOTIVAN AFTER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FIRML DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTHAN CODE ARMONATED.)

USA CDEPT OF INTERIOR BUREAU OF LAND MONTO DYNERS: PD BDX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER * SOURCE: PRIDRITY_DBIE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RAIE: THIS DHSTREAM RESERVOIR. **UDLUME:** 4.38 AF PERIOD OF USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION BND HEARS OF DIVERSION: LDI BLK_DIR_SEC_SEC_IMP_RGE_COUNTY____ __DEBNS__. EZNUNU 30 29N 37E VALLEY DAM 61 RESERVOIR: OTR SEC SEC_IMP_RGE_COUNTY____ EZHWNW 30 29N 37E VALLEY 01 DNSTREAM * PLBCE OF USE FOR WILDLIFE: __BCBES____LOI_BLK__QIR_SEC_SEC_IMP_BGE__CDUNIY_____ 001 ESHUNU 30 29N 37E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRELIMINARY DECREE PAGE 3,274 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHT ENUMBERS 400s - W-077158-00s (CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077157-00, W077158-00.

THE FOLL WING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS EXAMINATION OF THIS WHITE RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDESTINDING DE YOUR CLAIMED WATER RIGHT CAM BE DBIGNED BY COUPPRING YOUR RIGHT WITH OTHER CLAIMS IN THE BESIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHER RIGHTS IN ADJOINING BRISIS OR SUBBRISIN SELL AS BEING SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARINGD WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINERY DECREE AND NOTICE OF AVAILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR KIGHT, YOU CAN CONTAIT THE WATER COURT BY CALLING 1800—824—3270 CWITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879. BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077159-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR MATER RIGHT AS CLETHED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED HENT TO EACH ITEN CHANGED BY THE DEPARTHENT OF NATURAL RESOURCES AND CONSEQUATION CONC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE HONTHAM AND RECURSIVE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTAMA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINENY DECREE AND MOTICE OF AUALIBATIVE." UNLESS OBJECTED TO OR CALLED IN MOTION OF THE MOTHAMA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPER IN THE FINAL DECREE AS SECOND NOT HIS ONTO THE MOTHER COURT OF THIS CLAIMED WATER RIGHT WILL APPER IN THE FINAL DECREE AS SECOND NOT HIS ONTO ANOTHER COOR ENHOLATER.

	P0 6	(DEPT OF INTERIOR BUREAU OF LAND MGMT) 30X 36800 INGS MT 59107
	PURPOSE_CUSE	: WILDLIFE
	SDURCE :	UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER
	PRIORITY_DATE	NOVEMBER 15, 1967 TYPE OF HISTORICAL RIGHT: USE
	ELDW_RAIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	VOLUME:	2.60 AF
	PERIOD_DE_US	E: JANUARY 01 TO DECEMBER 31
t	POINT_DE_DIV	ERSION_OND_NEGNS_OF_DIVERSION:
		LDI BLK OIR SEC SEC IMP RGE COUNTY TEBUS
	01	NESUNW 31 29M 37E VALLEY PIT
	RESERVOIR:	
		QIR_SEC_SEC_IMP_RGE_COUNTY
	O1 DNSTREA	M NESWAW 31 29H 37E VALLEY
t	PLACE_DE_USE	_EDB_WILDLIEE:
	B	CRESLOI_BLKDIR_SEC_SEC_IWP_RGE_CDUNIY
	001	HZSWMW 31 29M 37E UALLEY
	REMARKS:	
	MULTIP	TER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE LE USES OF THE SAME RIGHT. THE USE OF THE RIGHT UERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE PA HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077159-00g(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077159-00, W077160-00.

THE FOLIAMING ISSUES WERE IDENTIFIED BY THE DWARD DURING 115 2 EXMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 12 LANGES ULAUGH IF NO BAJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMAGE REA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIZED RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BBSIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, OULDIES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHER RIGHTS IN ADJININING BRISHS OR SUBBRSINS AS WELL AS BEING SUBJECT TO THER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAN FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MUNICIPALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 679, BOZEMAN MT 59771-0879.

03/31/95 PRELIMINARY DECREE PAGE 3,277 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077160-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH TICK CHANGED BY THE DEPARTMENT OF MENUAL RESOURCES AND CONSEQUATION (ONCE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPPRINE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALIABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE

S	SHOWN ON	1 THIS F	RBSTRACT.	CSEE S	ECTION	85-2-233	, 1101	ITANA C	DDE ANI	KOTATED	.)
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		BILLI	NGS		HT	59107					
	PURPOSE.	CUSE2 :	STOCK								
	SOURCE:		UNNAMED SOURCE T				REEK				
	PRIDRIIS	_DBIE:	NOVEMBER TYPE OF	15, 196 HISTORIO	7 AL RIGH	IT: USE					
	ELOW_Rei	E:	NO FLOW! THIS ONS				OR TH	IIS USE	FROM		
	VOLUME:		- 4	D AF							
	PERIOD_I	E_USE:	JANUARY 1	01 TO DE	CEMBER	31					
ı	FOIRI OF	DIVER	SION_AND_	MEANS_DE	DIVERS	ION:					
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	01			NESUNU	31 291	37E VAL	LEY		PIT		
	RESERVO	IB:									
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	01 DH	STREAM		NESUNU	31 29	1 37E UAL	LEY				
ı	PLACE_O	E_USE_E	DR_SIDEK:								
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	001					HZSWHW	31	29N 3	37E UA	LLEY	
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	H	ULTIPLE	R RIGHTS USES OF RAL PURPO	THE SAME	RIGHT	. THE US	E OF	THE RI	ĞHT		

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03/31/95

PRELIMINARY DECREE PAGE 3,278 MILK RIVER SELOW WHITEWATER CREEK INCLIDING PORCUPINE CREEK MASIN 400 MASTER OF THE PROPERTY OF

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077160-00s(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077159-00, W077160-00.

* THE ONRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBIGINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BUSIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, DOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BESINS OR SUBBASINS AS USELL AS BELING SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED MATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE DYFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARING WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELIMINARY DETREE AND NOTICE OF ANALABLITY." IF YOU NEED DESICION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES IT YOUR RIGHT, YOU CAN CONTRCT THE WATER COURT OF PROCEDURES OR CHANGES IT ADMINISTRATION OF THE WATER COURT P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077161-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONACO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION MULES AS PRODPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY. DIMESS ORJECTED TO DE CALLED IN ON MOTION OF THE MONTANA WATER COURT IN MIS

DECREE, THE E	LEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE HIS ABSTRACT. CSEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)									
Р	SA (DEPT OF INTERIOR BUREAU OF LAND MGMT) O BOX 36800									
В	ILLINGS MT 59107									
PURPOSE_CU	SE1: STOCK									
SDURCE:	UNHAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER									
PRIORITY_0	PRIORITY_DRIE: RUGUST 14, 1965 TYPE OF HISTORICAL RIGHT: USE									
ELDW_RAIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.									
ADTABE:	.62 AF									
PERIOD_DE_	USE: JANUARY 01 TO DECEMBER 31									
* POINI_DE_D	IVERSION_AND_MEANS_DF_DIVERSION:									
	LOI BLK QIR SEC SEC INP. RGE COUNTY MEANS									
01	SESUNU 32 29H 37E URLLEY PIT									
BESERVOIR:										
	OTR_SEC_SEC_IMP_RGE_COUNTY									
O1 ONSTR	EAM SESWNW 32 29N 37E VALLEY									
* PLACE_DE_L	ISE_EOR_SIDCK:									
	ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY									
001	SESWNW 32 29M 37E URLLEY									
BEDORKS:										

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT & NUMBER 7,400 & - W-077161-00 & (CONTINUED)

REMORKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77161-00. WO77161-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW MATES, UDLUMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUNINING BASINS OR SUBBRISTS AS WELL AS BEING SUBJECT TO DITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT.

COMPLETE DETAILS REGREDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF BRITISH OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 CWITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879. 8025MAN MT 59771-0879.

PRELIMINARY DECREE PAGE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER TRIGHT THUMBER \$4002-W-077162-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED AN AMENDED. AN ASSETISK (2) HAS BEEN PLACED HEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEGUATION CONEC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MITHORIZED BY THE NOTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE HONTANA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUITLINED IN THE COCUMENT ENTITLED "NOTITE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF AURIGALITY."
UNLESS GBJECTED TO OR CALLED IN ON HOTTON OF THE MONTANA WHERE COURT IN THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE OF THE ELEMENTS OF THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE OF SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ARMOTATED.)

USA COEPT OF INTERIOR BUREAU OF LAND MGNTO BILLINGS MT 59107 DWMERS: PURPOSE_(USE): VILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE : SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 14, 1965
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RAIE: **UOLUME:** 2.38 AF PERIOD_OF_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC IMP RGE COUNTY. __MEANS_ 01 SESWHW 32 29N 37E VALLEY PTT RESERVOIR: OIR SEC SEC IMP RGE COUNTY O1 ONSTREAM SESWNW 32 29N 37E VALLEY * PLACE_DE_USE_FOR_WILDLIFE: ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY 001 SESUNU 32 PAN 375 URLLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

HATERERIGHT **NUMBERE4001-V-077162-001(CONTINUED)

REMARKS CONTINUED:

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1 1 THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRECIDES. WO77161-00, WO77162-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN UNRESQLUED IF NO BOJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE URLIDITY OF THIS THERE IS A QUESTION HS IN THE UNITY OF THE STANDARD DRAINING CRIMED RIGHT. IN THE MATTER OF THE DEARNER DRAINING AREA, 294 MUNI. 343 (1988) CTHE BEAN LAKE CASE) THE MONTHAN SUPERIE COUNT STATED. IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGULABLITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER FIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DECUMENT ENTIRED WHITE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF DUMPHINE THILLE TWILLE OF ENTRY OF PRELITINGRY DECREE AND NOTICE OF WARTLABLITY - IF YOU KEED OBJECTION FORMS, OR AND QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-327 (UTIKIN MONTANA OHLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802FMH NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077163-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLARKED OR HERODD. AM ASSERVER (2) HAS BEEN FLACED BERT TO EACH TIEM CHANGED BY THE DEPARTMENT OF HATURAL RESQUECES AND COMPRESSION CONCESS OF THE EXAMPLATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTANA DIRECTION THE CHANGE ARE RUTHORIZED BY THE MONTANA SUPPERME FOURT.

DBJETTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTIFIED FRANK OF PRELIMINARY DETREE AND HOTHER OF ANALASILITY."
UNLESS GBJECTED TO ON CALLED IN ON HOTTON OF THE MONTHAM WHITE COURT IN THIS DECREE, THE ELEMANS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN DO HINS ABSTRACT. (SEE SECTION 85-2-233, MONTHAME CODE ANNOTATED.)

F	ISA COEPT OF INTERIOR BUREAU OF LAND MGMT) 0 BOX 36600 MT 59107											
PURPOSE_CL	SE2: WILDLIFE											
SOURCE:	SOURCE: UNMARED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER											
PRIDRITY	PRIORITY DATE: NOVEMBER 14, 1967 TYPE OF HISTORICAL RIGHT: USE											
ELOW_ROTE	HO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.											
VOLUME:	2.10 AF											
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PRELIMINARY DECREE PAGE 3,6 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PERCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLATH

WATERERIGHTENUMBERE40DE-W-077163-00g(CONTINUED)

REMORKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077163-00. W077164-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARG DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
LUNRESOLVED IF NO EDJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CURITED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE REA, 24 MONT. 343 (1986) (THE DERN LAKE CASE) THE MONTANA SUPERNE COURT STATED! "II ST CLEAR THEREFORE THAI UNDER WONTANA LAW BEFORE 1973, NO EMPROPERATION RIGHT WAS RECOGNIZED FOR RECREATION, TISH AND VILOLIFF, EXCEPT THROUGH A MIRPHY RIGHT STATUE."

A SETTER UPOFFSIANDING OF YOUR CLAIMED WATER RIGHT COM BE DETAINED BY COMPARING FOUR RIGHT (THE MOSE). THE BESTME FOR EXPANDING LOCKER PRIORITY DRIES, FLOW RATES, JOLUMES, OR ACRES TRRIGHTED. R.S.D. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT OF THE RIGHT ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MANILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE INDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND NOTICE OF AWAILABILITY." IF YOU NEED DEJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WHITE COURT BY CALLING 1-800-624-3270 (WINTH MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0079.

03/31/95 PRGE 3.289

PRELIMINARY DECREE MILK RIVER SELON WHITEWATER CREEK INCLUDING PORCLUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002-V-077164-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMERICAD. AM ASTERISK (**) HAS BEEN PLACED MEXT ID EACH ITEM CHANGED BY THE DEPARTMENT OF MINISK RESDURCES AND CONSERVATION (OWR?) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAN WATER COURTED OR THE WATER RIGHT CLAIM CANDINATION RULES AS ROOPTED BY THE MONTAN AND THE WATER THE WATER AND THE WATER THE WATER AND THE WATER THE WATER AND THE WATER THE WATER AND THE WATER THE WATER AND THE WATER THE WATER AND THE WATER THE WATER AND THE WATER SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CUTLINED IN THE COCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.—
UNLESS DECITED TO OR CRULED IN ON MOTION OF THE MONTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE AS SEADON ON THIS DESTRECT. (SEE SECTION 65-2-233, MONTHAN CODE ANNOTATE). DWNERS: USA (DEPT_OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 59107 PURPOSE_(USE): STUCK UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIORITY D'HE: NOUEMBER 14, 1967
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS DISTREAM RESERVOIR. .40 RF **UOLUME:** PERTOD DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION_BND_BEBUS_OF_DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS HVNESE 32 29N 37E URITEY 01 PIT RESERVOIR: ___CIR_SEC_SEC_INP_RGE_COUNTY HYNESE 32 29N 37E UALLEY O1 ONSTREAM * PLACE OF USE FOR SIDCK __BCRES____LDI_BLK__QIR_SEC_SEC_IMP__RGE_COUNTY____ 001 NWNESE 32 29N 37E UNLLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER REKEK INCLUDING PORCUPINE CREEK MOD 90510 400

ABSTRACT OF WATER RIGHT CLAIM

WRTER=RIGHT:NUMBER:400:-W-077164-00:(CONTINUED)

PERSONAL CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077163-00, W077164-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WHITE COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UGLUES, OR ACRES TRRIGATED. ALSO, YOUR WHITE RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJIINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF RELIMINARY DECREE AND NOTICE OF AUXILIBILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT FINTILE OF BETTEV OF PRELITINIARY DEFCREE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU OR CONTACT THE WHER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 87%, BOZEMAN HT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLIDING PORCLUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE4000 - W-077165-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ASSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERT PLACED MEXT ID EACH ITEM CHANGED BY THE GERMAN HEAD OF HATURAL RESOURCES AND DUMSERVATION (DRC) OUTING THE EXAMINATION PROCESS. THESE CHANGES PARE AUTHORIZED BY THE MONTRAN WATER CHANGES THE WATER RIGHT CLAIM FAMILIATION RULES AS ADDYTED BY THE MONTRAN FOR SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DULLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMMRY DECREE MAY DIFFER THE DEFINITION OF THE MONTHMA WATER COURT IN THIS DECREE, THE ELEMINS OF THIS CLAIMED MATER RIGHT WILL APPEAR IN THE FUND. DECREE SCHOOL ON THIS MASTRACT. (SEE SECTION 85-2-23), MONTHMAY CODE AMOUNTED.

DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 BTI I THES 59107 PURPOSE (USE): VILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DRIE: JANUARY 31, 1938
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVEIR. ELDW RATE: UDILLIME: 4 . 38 AF PERIOD DE USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND HEARS OF DIVERSION. LOT BLK OTR SEC SEC INP. RGE COUNTY MEANS_ NUSUSU 34 2914 37F URLLEY 01 RESERVOIR: OIR SEC SEC IMP RISE COUNTY O1 DNSTREAM NUSUSU 34 29N 37E URLLEY * PLACE OF USE FOR WILDLIFE: BCRES LOT BLK QIR SEC SEC TWP RGE COUNTY

001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT. FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF

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PRELITINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 BASIN 400 BASIN 400 BASIN 400

WATERERTIGHTENUMBERE4002-W-077165-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOT7166-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DATE: DURING ITS

E EXPAINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN

WHEREOLUED IF NO OBJECTIONS RAF FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS LATINED RIGHT IN THE HATTER OF THE DEARENGEM DESIMAL REA, 234 MONT. 943 (1988) CITE BERN LAKE CASE) THE MONTAINAS USPREME COURT STATED: "IT IS CLEAR THREFORE THAT UNDER MONTAINA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOMPLIZED FOR RECREATION, TISH AND UILDLIFE, EXCEPT THROUGH A MURPHY XIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACCES TREIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE OCCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT THESE FINDINGS CAN BE FOLUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAUGE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR KIGHT, YOU CAN CONTACT IT WATER COURT BY CALLING 1-BOO-624-3270 (WITHIM MONTANA ONLY) OR 1-406-586-4364, OR 8Y WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10879.

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PRELIMINARY DECREE PAGE 3,289 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER #RIGHT #MUMBER# 400#-W-077166-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MAKENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES AND COMSERVATION CONCEDURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE NORTHAN WHICE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOPTED BY THE NORTHAN SUPREME COURT.

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	DWNERS	USA COEPT OF 1 PO BOX 36800 BILLINGS	· · · · · · · · · · · · · · · · · · ·	REAU OF LAND 59107	MGMT)			
	PURPOSE_	(USE): STOCK						
	SDURCE		TRIBUTARY (CREEK			
	PRIDRIIY	DBIE: JANUARY TYPE DF	31, 1938 HISTORICAL	RIGHT: USE				
	ELDW_R8I	E: NO FLOW THIS DNS	RATE HAS BE TREAM RESE		FOR TH	IS USE FRO	н	
	VOLUME:	-(S AF					
	PERIOD_0	E_USE: JANUARY	O1 TO DECE	18ER 31				
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	O1 DH5	TREAM	NUSUSW 3	4 29N 37E VA	LLEY			
	PLACE_DE	_USE_EOR_SIDCK	1					
		BCRES	LOI_BL	KOIR_SEC_	_SEC	IWP_RGE	COURTY	
	001			HUSUSU	34	29N 37E	UALLEY	
	REMORKS:							
	TH	E WATER RIGHTS LTIPLE USES OF	LISTED FOL	LOWING THIS	STATEM SE_OF	ENT ARE THE RIGHT		

FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

URTERERIGHTENUMBERE400E-W-077166-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO PLIERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICOL PRACTICES.
MO77165-00. W077166-00

THE DANCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

DATH, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR FCRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WILLIAM TO PRELITATINAS" DECREE AND NOTICE OF AUGILIBILITY.

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLE OF PRELIMINARY DECREE AND NOTICE OF RUALLABILITY. IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WHIER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHIER COURT BY CALLING 1-BOD-624-327 (VITHIN HOWINAND ONLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-0679.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUNBERE400E-W-077167-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHBMIGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND DUNSERVATION (DANC) DURING THE EXAMINATION PROCESS. THESE CHANGES MARE BUTHORIZED BY THE MOTHAM WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOUTED BY THE MOTHAM WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIAINARY DECREE AND MOTICE OF AUGILBRILITY." BY RISS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIANA WATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. CSEE SECTION 85-2-233, MOTIFAINA CODE RENOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE_CUSE): STOCK SOURCE : UNNAMED TRIBUTARY OF ANTELOPE CREEK SOURCE TYPE: SURFACE WATER PRIDRITY_DRIE: JANUARY 16, 1937
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW RATE: UOLIME: .62 AF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT_DE_DIVERSION AND MEANS_DE_DIVERSION: LOT BLK QIR SEC SEC TWP RGE COUNTY MEANS____ 01 MEMENW 29 29N 38E URLLEY RESERVOIR: QIR_SEC_SEC_TWP_RGE_COUNTY_ O1 ONSTREAM NENENW 29 29N 3BE URLLEY * PLACE_DE_USE_EDR STOCK: __BCRES___LDI_BLK__DIR_SEC_SEC__IMP__RGE_COUNTY_____

001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USES OF THE RIGHT FOR SEUFRAL PURPOSES DOES NOT INCREASE THE EXTENT OF

NEMENW 29 29M 38E UALLEY

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT HUMBER # 4001-Y-077167-00 # (CONTINUED)

REMARKS CONTINUED :

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITEMATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCURD WITH HISTORICAL PRACTICES.

WOTTES TOOD, NOTTIBE 00.

* THE DOCK EMPTITUDE THIS CLAIM FOUND NO SIGNIFICANT FACTS, * * DATH, DR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW ARES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITER RIGHTS IN ADJUNING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE GETALLS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOWNERT ENTITLED MODIFIER TO PRELIMINARY DECREE AND NOTICE OF AUXILIBILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTILED FOR MONITE OF INTITY OF PRELIMINARY DECREE AND NOTICE OF AUAITMILITY." IT YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CRILING 1-800-624-3270 CWITHIN MONTAN DILLY) DR 1-406-586-4364, OR BY WRITING TO P. -0. 80% 879, BOZEMAN MI 5977-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077168-00

IMPORTANT NOTICE

YOUR WATER RIGHT OF SHOWN ON THIS ABSTRACT MAY HAVE CHARMES FROM YOUR WATER RIGHT AS CLAIMED DR AMENDED. AN ASSIRIES OF AN ASSIRIES PARCE NEXT TO EACH ITEM CHARGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONKED DURING THE EXAMINATION PROCESS. THESE CHARGES ARE AUTHORIZED BY THE MORNAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MORNAN WATER SUPPERE COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF ANALMSLITY."
UNLESS OBJECTED TO OR CHLLED IN ON NOTION OF THE MONTAINA WHERE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RICH VILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SCIJON 85-2-233, MONTAINA CODE REMNOTATED.)

RS	SHOWN ON THIS	ABSTRACT. (SEE S	ECLION I	85-2-233,	HUNTRH	CODE HANDTRIED	. 3
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	BILLI		MT	59107			
	PURPOSE_CUSE2:	WILDLIFE					
	SOURCE:	UNNAMED TRIBUTAR SOURCE TYPE: SU			EK		
	PRICRITY DRIE:	JANUARY 16, 1937 TYPE OF HISTORIC	AL RIGH	T: USE			
	ELOW_88IE:	NO FLOW RATE HAS THIS ONSTREAM RE			R THIS US	E FROM	
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	REDARKS:						

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4001-V-077168-00% (CONTINUED)

REMARKS CONTINUED :

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× × x * * * × * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERMINE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. W077167-DO, W077168-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLARED RIGHT. IN THE MATTER OF THE DERROWN DRAINAGE RESD, 234 MONT. 383 (1980) CTHE DEAN LAKE CASES THE MONTAINA SUPERIOR COURT STATED! —IT IS CLEAN THEREFORE THRI UNDER TONTHAIR DUB BEFORE 1973, NO APPORTATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND VILLIFE, EXCEPT THROUGH AT MURPHY RIGHT STATUTE.—

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOILE RIGHT WITH OTHER CLRIMS IN THE BASIN. FOR EXMINE, COMPARE PRINTING DATES, FLOW RRIES, VOLUMES, OR RRES IRRIGATED. ALSO, YOUR WRITE RIGHT HAY BE SUBJECT TO WRITE RIGHTS IN ADJUNING RISHS OR SUBBASING SHELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WRITE RIGHT MAY BE SUBJECT TO INCHING RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE OFFICE LORTIONS IDENTIFIED IN THE DOCUMENT ENTITLED -NOTICE OF ANALYBLITY.

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF MONICE OF ENTRY OF PRELITINARY DEFRECATE AND NOTICE OF AUGUST AND AUGUST OF THE MATERIAN OF THE MATERIAN OF THE WATER COURT PROCEDURES OF CHANGES IN YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING INDOCESS OF CHANGES IN YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING INDOCESS. P - O . BOX 879, BOZEMAN NT 59771-0879.

PRELIMINARY DECREE MTI K RIVER BELOW WHITE HETER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF VATER RIGHT CLAIM

WATERERIGHTENHIMBERE4008-W-077169-CO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACT WAS AS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATTERER ESDIGHTES AND CONSERVATION (ORDER) DURTING THE EXAMINATION PROCESS, THESE CHANGES ARE BUTHORIZED BY THE MONTHAN WATER COUNT OR THE WATER RIGHT LAIR EXAMINATION RULES AS ADOPTED BY THE HONTAND SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTICE OF WHIR'N OF FREE THINARY DELREE AND MOTICE OF AURILABILITY. - WHIESS BAJECTED TO OR PALLED IN MOTION OF THE MONTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHICH WILL APPRING THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAN CODE RYMOTATED.)

USA CDEPT OF INTERIOR BUREAU OF LAND MGMTD PO BOX 36900 BILLINGS

MT 59107

PURPOSE CUSED: WILDLIFE

UNHAMED TRIBUTERY OF ANTELOPE CREEK SOURCE :

SOURCE TYPE: SURFACE WATER

PRIORITY DOIE: HOUSEMBER 14, 1964
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RATE :

UDLUME :

.38 AF

PERIOD DE LISE: JAHUARY OF TO DECEMBER 31

* POINT OF DIVERSION_BND_MEANS_DE DIVERSION:

LOT_BLK_ OTR SEC SEC TWP RGE COUNTY _HEANS SWSENS 29 29N 38E VALLEY DAM

RESERVOIR :

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___OTR SEC: SEC TWP_RGE_COUNTY_

SWSENW 29 29K 38E VALLEY 01 ONSTREAM

* PLACE_DE_ USE_EDB_WILDLIFE:

ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY

SWSENW 29 29N 38E VALLEY 001

REMARKS :

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE40DE-W-077169-00E(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRECICES. W077169-00, W077170-00.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERREDRH DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT S LLEAR THEREFORE THAT UNDER MONTAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STHUTTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOLUMENT ENTITLED "NOTICE OF FOR ENTRY OF PRELIMINARY DECREE AND NOTICE OF A MAJINGBLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU GAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA UNLY) OR 1-406-596-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 5977-10879.

03/31/95

PRELITINARY DECREE PAGE 3.237 MILK RIVER BELOW WHITEWATER CREEK DISCUSSING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077170-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATUREN, RESUMECES AND CONSERVATION (DANC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAWA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAWA SUPREME COURT.

BBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF AUGUSTATION OF PRELIMINARY OFFRE AND NOTICE OF AUGUSTATION OF AUGUSTATION OF AUGUSTATION OF AUGUSTATION OF AUGUSTATION OF A

RS	SHOWN ON	THIS	ABSTRACT	. (SEE S	ECTION	85-5-5	33, ROI	TANA C	ODE AN	HOTATEL).)	
	DWMERS:	U59 (1	DEPT OF :	INTERIOR	BUREAU	OF LAM	D MGMT)				
		BILLI			MT	59107						
	PURPOSE_	USE2:	STOCK									
	SOURCE:			TRIBUTAR TYPE: SU			CREEK					
	PRIORITY.	DOIE:		R 14, 196 H I STORIC		HT: US	E					
	ELOW_ROII	E۱		RATE HAS STREAM RE			FDR T	HIS USE	FROM			
	nornae:		-	62 AF								
	PERIOD_O	E_USE:	JANUARY	01 TD DE	CEMBER	31						
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¥	PLACE_DE	_USE_E	OR_SIDCE	:								
		0CB	E5	LDI_	BLK	OIR_SE	C_SEC_	_IW21	BGECC	DARIA"		
	001					SUSEN	a 29	29H :	38E UF	RLLEY		
	REMARKS:											

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRE 3-298

PRELIMINARY DECREE MILK RIVER BELOW WHITE WATER CREEK FOOLUDING PORCUPINE CREEK PASSA 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077170-OOE(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077169-00, W077107-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPAGE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF ENTRY OF RELIGIARRY DECREE AND NOTICE OF AUGILABILITY."

SEE BENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLE OF PRICEIDINARY DECREE AND NOTICE OF AUGILBRILLITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (VITHIN HONIAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 8025AM NT 53771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077171-OO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OM THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AREMOD. AN ASTERISK (2) HAS BEEN PLACED NEXT ID SACH ITEM CHANGED BY THE DEPARTHENT OF HATURAL RESOURCES AND CONSERVATION CONCOLURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTURED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRIED BY THE MONTANA WATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DETRE AND NOTICE OF AUGILABILITY."
UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 05-2-23, MONTHAN CODE ANNOTATES.

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MONTO

BILLINGS

MT 59107

PURPOSE_CUSE3: WILDLIFE

SOURCE:

SOURCE TYPE: GROUNDWATER

* PRIDRITY DBIE: OCTOBER 31, 1970

TYPE OF HISTORICAL RIGHT: USE

ELDM_RAIE:

4.98 GPM

UDLUME: 7.44 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOI BLK OIR SEC SEC INP RGE COUNTY

O1 NESENE O1 29N 39E URLLEY

* PLACE DE USE FOR WILDLIFE:

BCRES LOT BLK OTR SEC SEC TWP RGE COUNTY

001

NESENE 01 29N 39E VALLEY

REDARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE REFERENCE THE SEVENT OF THE WATER RIGHT. RAIHER IT DECREES THE RIGHT TO THE WATER RIGHT. RAIHER IT DECREES THE RIGHT TO MITERHAITE HON EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077171-COx(CONTINUED)

REMARKS CONTINUED:

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

> THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE HATTER OF THE DEARBORN DRAINAGE REA, 234 ADMIN. 343 (1980) THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER HONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND VILOLITE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

UDLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERTOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.2 HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS

A BETTER UMDERSTANDING OF YOUR CLRIMED WATER RIGHT CAN BE OBTRIMED BY COMPARING YOUR RIGHT WITH OTHER CLRIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIORITY ORTES, FLOW PARIES, JULIUMES, OR RERES INTRIBATED - ALSO, YOUR WATER RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS WELL AS BETHS SUBJECT TO WATER RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS WELL AS BETHS SUBJECT TO DIMER RIGHTS ON YOUR SUBJECT SUBJECT FIRMLLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARINDD WATER HIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED DISJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-900-624-3270 (WITHIN MODIFIAM ONLY) OR 1-406-586-3864, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400:-W-077172-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (ONES) DURING THE PROCESS. THESE CHANGES ARE ANY INVOLUCED BY THE MONTANA WATER SOURCE CHE WATER RIGHT CLAIM EXAMINATION WHEE AS ADOPTED BY THE MOTHANA SOURCE AS ADOPTED BY THE MOTHANA

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATACO WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. OSE SECTION 85-2-233, MONTANA CODE ANNOTATES.

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 BILLINGS

HT 59107

PURPOSE (USE): STOCK

SOURCE:

WELL SOURCE TYPE: GROUNDWATER

* PRIDRITY DATE: OCTOBER 31, 1970

TYPE OF HISTORICAL RIGHT: USE

FLDW RATE:

4.98 GPM

z VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

PDINT DE_DIVERSION:

LOT BLK OIR SEC SEC TWO RGE COUNTY

NESENE OI 29N 39E UALLEY

* PLBCE_DE_USE_FOR_SIDCK:

OCRES LOT BLK OTR SEC SEC IMP RGE COUNTY

001 NESENE 01 29N 39E UALLEY

REMARKS:

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THE WATER RICHIS LISTED FOLLOWING THIS STATEMENT ARE MULTIFIE USES OF THE SAME RICHIT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF THE WATER RICHIT TO RELEASE THE CHIEF TO GREES THE RICHIT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER TH ACCORD WITH HISTORICAL PRACTICES.

03/31/95

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 4001 PAGE 3,302

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT HUMBERS 400 x - W - 077172 - 001 (CONTINUED)

REMARKS CONTINUED:

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W077171-00, WO77172-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM - THESE ISSUES MAY REMAIN LANKESQUED IF NO OBJECTIONS ARE FILED -*

THE PRIORITY DATE IS IN QUESTION. NO OCCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DINER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIDRISURITY DATES, FLOW ARES, VOLUMES, OR ACRES IRRIGATED - ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OF SUBBASINS AS WELL AS BEING SUBJECT TO STHEER RIGHTS ON YOUR SOURCE SUMPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOLDMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF RURAL BELLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DETREE AND NOTICE OF RUBLINGHIV." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANH DRLY) OR 1-406-586-4364, OR BY WRITING TO P-O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECRE! MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK MASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077179-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOMESS FROM YOUR WATER RIGHT AS CLATHED OR MERCHOED. AN ESTERISK ICY MAS BEEN PLACED HEXT TO SHOR THE CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA FOR SUPPRIES COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUILINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY BEFREE AND NOTICE OF AUALMBILITY."
UNLESS OBJECTED TO BY CALLED IN ON HOTION OF THE MONTHAM WHITE COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS BOSTRACT. (SEE SECTION 85-2-233, MONTHAM CODE RENDITERS)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS NT 59107

PURPOSE_CUSE): WILDLIFE

SOURCE: UNNA

CE: UNNAMED TRIBUTARY OF MOONEY COULEE

SOURCE TYPE: SURFACE WATER

* PRIORITY DRIE: DECEMBER 31, 1938
TYPE OF MISTORICAL RIGHT: USE

ELOW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

UDLUME:

4.62 RF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND DEBNS OF DIVERSION:

_____LOI_BLK_GIR_SEC_SEC_IMP_RGE_COUNTY______DEANS______

RESERUDIR:

Ωı

OTR SEC SEC. TWP.RGE_COUNTY

D1 DNSTREAM

NEMWSE D7 29N 39E VALLEY

NENWSE D7 29N 39E UALLEY

* PLACE DE USE FOR WILDLIFE:

BCRES LOT BLK OTR SEC SEC TWP RGE COUNTY

S2S2NE O7 29N 39E URLLEY N2N2SE O7 29N 39E URLLEY

BEMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

DOM

03/31/95 PRGE 3.304

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 PRITTER OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE40DE-W-077173-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WD77173-00, WO77174-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO DBJECTIONS ARE FILED. *

> THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLRIMED RIGHT. IN THE MRITER OF THE DEARBORN ORRINGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973. NO APPORPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND MITHIT TEST CETED'S TABLED AND APPORT OF THE TRANSPORT OF THE PROPERTY OF THE WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED **NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALADALITY. IF YOU MEED OBJECTION FORMS, OR MANE QUESTIONS ABOUT WATER COM-NATIONAL OF THE PROPERTY OF TH P.O. BOX 879, BOZEMAN NT 59771-0879.

03/31/95

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077174-00

IMPORTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (%) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF METURAL RESOURCES AND CONSERVATION CONEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE MATER RIGHT CLAIM EXAMINATION RIMES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY."
UNLESS GOSECIED TO OR CALLED IN ON MOTION OF THE MONTHAW WHERE COURT IN THIS CLATMED WHICE RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTHAW CODE ANNOTATES.

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 OWNERS: BILLINGS MT 59107 PURPOSE_CUSE: STOCK SOURCE: UNNAMED TRIBUTARY OF MODNEY COULEE SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS ONSTREAM RESERVOIR UDLUME: .62 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND BEANS OF DIVERSION : LOT BLK QIR SEC SEC INP RGE COUNTY MEANS 01 NEMUSE 07 29N 39F VALLEY DAM RESERVOIR: OTR SEC. SEC TWP_RGE COUNTY. O1 DNSTREAM NEMUSE 07 29H 39E VALLEY * PLACE_DE_USE_EDB_SIDCK: OCRES LOI BLK OIR SEC SEC IVP RGE COUNTY 29N 07 07

002 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

PRELIMINARY DÉCIRCE PAGE 3,306 MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077174-00E(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077173-00, W077174-00.

* THE DNKC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING DE VOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, DR ACRES TRRIGATED. ALSO, VOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJINING BRISINS DR SUBBRISING NE VELL AS BETTEN SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, VOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "PATICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DETREE AND MOTICE OF AUAIL ABILITY." IF YOU WEED DEJECTION FORTS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAN DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BUZEMAN MT 5971-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLLIDING PORCUPINE CREEK MACH 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077175-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ASSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAMED BY AN HERDED. AN ASSERTE (3) HAS BEEN PLACED HERT TO ENTY TIEM CHANGED BY THE OPERATIENT OF HATURAL RESURCES HAD CONSERVATION CONES. DURING THE EXAMINATION PROCESS. THESE WANGES HE AUTHORIZED BY HE MOTHAN AND THE EXAMINATION FROM EACH OWNER WATER COURT OR THE WATER TIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER SUPPRING CUIR.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLING IN THE DOCUMENT INTITLED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND MOTICE OF AVAILABILITY." - UNLESS OBJECTED TO DR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HILLS RESTRACT. CSEE SECTION 65-2-239, MONTANG COOK ANNOTHER. DWNESS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS PO BOX 201601 59620-1601 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF RICHARDSON COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DRIE: FEBRUARY 28, 1966
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE: .38 AF LIDLUME: PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION_AND_MEANS OF DIVERSION: LOT BLK OIR SEC SEC TYP RGE COUNTY MERNS 01 SWSWSE O9 29H 39E UALLEY DAM RESERVOIR: QIR_SEC_SEC_TWP_RGE_COUNTY SWEWSE OF ZON BOE URLARY O1 ONSTREAM * PLACE OF USE FOR WILDLIEE: ___OCRES____LDI_BLK_QIR_SEC_IMP_RGE_COUNTY____ 001 SWSWSE O9 29N J9E VALLEY

REMBEKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF VATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077175-002(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077175-00, W077176-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE OHRC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN : UNRESOLUED IF NO SOJECTIONS ARE FILED.

IMERE IS A QUESTION AS TO THE MALIDITY OF THIS CLAIMED RIGHT. IN THE HAFTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE "MIRHA SUPREME COURT STRIED: "II IS CLEAR THEREFORE THAT UNDER MONTRAM LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECRENTION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRTUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BRSIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, JOULNES, OR ACRES TREASTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHIER RIGHTS.

COMPLETE DETAILS REGARDING THE DATE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABLITY."

SEE GENERAL FINDINGS OF FACT RND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE INDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "MOTITCE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY." IF YOU NEED OBJECTION FORMS, OR HOUE QUESTIONS ABOUT WHATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-524-3270 (WININ MOTIFANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,309 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077176-00

REMORKS:

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED HAST TO EACH ITEM CHANGED BY THE OPPRATIENT OF ANTURAL RESOURCES AND CONSERVATION (ONCO.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTILE OF ENTITY OF PRELIMINARY DEERE AND MOTICE OF AUGILABILITY."
UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAN WATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. CSEE SECTION DS-2-239, MOTHING COOR ANNOTATES.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWHIER CREEK INCLIDING PORCUPINE CREEK
MILK RIVER BELOW WHITEWHIER CREEK INCLIDING PORCUPINE CREEK 03/31/95

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHT * MI IMBER: 4002-9-077176-003 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREMSE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IM ACCORD WITH HISTORICAL PRACTICES. WO77175-00, W077176-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO STANFFORM FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DINER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDILUMES, OR RICKES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJRIKING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXPAINATION RESULTS AND RELATED MATERIALS CAN BE RELYTEMED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUDILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DISCURING HENTITLE OF HOUSE OF BANKLY OF PRELIMINARY DEFREIGH AND THE OF AUALIBRILITY.— IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES ON THE ARMACHILLY OU CAN CONTRIT THE WATER COURT BY CALLING 1800 524-3270 (WITHIN MUNIFIED DEFINED ON 1800 197). OR 1-406-586-4364, OR BY WRITING TO P.O. 80% 879, BOZEMB MT 39771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF MATER PICKT CLAIM

WATER*RIGHT*NUMBFR*400*-V-077177-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ANENDED. AN ASTERISK (#) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSECURITION CONRC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOITCE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUMILABBLITY." UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTHAM AWARE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-23), MONTHAM CODE ANNOTHER) OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800 BILLINGS 59107 PURPOSE_CUSE): STOCK UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK * SOURCE: SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: JUNE 30, 1970 TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. .62 BF VOLUME: PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS_ 01 SWSESE 13 29N 39E VALLEY DAM RESERVOIR GTR_SEC_SEC_TWP_RGE_COUNTY O1 DNSTREAM SWSESE 13 29N 39E VALLEY * PLACE_DE_USE_FOR_SIDCK: LOT BLK QTR SEC SEC TWP RGE COUNTY __. ACRES COL SWSESE 13 29N 39E UALLEY

REMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERICHTENUMBERE400E-W-077177-00ECCONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077177-00, W077178-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, DOLUMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS, OR YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIEN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INDIEN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF RELIMINARY DECREE AND MOTICE OF AUGILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCCUMENT ENTILED "HOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RURLLABILITY." IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879. BUZEAN NT 59771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER \$400\$ - V-0771 78-00

TMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRACT HAY HAVE CHANGED BY THE DEPARTMENT OF MATURAL RESUMBLES AND COMSERVATION CONEC DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COUNT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER COUNT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE OCCUMENT ENTITLED "NOTICE OF FORTH OF PRELIMINARY DECRE AND NOTICE OF GOALIBALITY."
UNLESS 09JECTED TO OR CALLED IN ON NOTION OF THE NOTINAN WATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23) NOTION FINAL CODE ANNOTATIO.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS : PO BOX 36800 BTILINGS MT 59107 PURPOSE_CUSE1: WILDLIFE UHNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK * SOURCE * SOURCE TYPE: SURFACE WATER * PRIGRITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. UDLUME: .38 AF PERIOD DE USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK. OTR SEC SEC TWP RGE COUNTY MEAKS___ SWSESE 13 29N 39E VALLEY 01 DAM RESERVOIR: OIR_SEC_SEC_IMP_RGE_COUNTY O1 ONSTREAM SWSESE 13 29N 39E VALLEY PLACE_OF USE FOR WILDLIFE: OCRES____LDI_BLK_QIR_SEC_SEC_IMP RGE COUNTY____ 001 SWSESE 13 29N 39E UALLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER #RIGHT #NUMBER #400 # - W-077178 - OO # (CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077177-00, W077178-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ORDER OURING ITS

E KAMPINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLUED IF NO GOBECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 24 MBMT 343 (1998) (THE BEAN LAKE CASE) THE MONTANAS UNRENE COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT INFOLIGH A MURPHY RIGHT STATUTE."

A SETTER UNDERSYMDING OF YOUR CLATMED WATER RIGHT CAN BE OSTAINED BY COMPARING VOUR RIGHT WITH DIVER CLATMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS VELL AS BEENE SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLÈTE DÉTAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOLICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINENRY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MORTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN NT 59771-0879.

03/31/95

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM PAGE 3,315

WATERERIGHTENUMBERE4001-W-077179-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CLOUDES FROM YOUR WATER RIGHT AS CLAIMED OR MENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WHIER COUNT OF THE MATER AND ANALYSE AS ADDITED BY THE MONTANA WHIER AS ADDITED BY THE MONTANA WATER SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED -NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUALIBILITY.UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHANA MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIMAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23.) MOTHANA ODDE ANNOTATED.

MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS PO BOX 201601 OWNERS:

HELENA

MT 59620-1601

PURPOSE_CUSED: WILDLIFE

* SOURCE * RICHARDSON COULEE SOURCE TYPE: SURFACE WATER

PRIDRITY_DAIE: JANUARY OB, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

UDLUBE: .38 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

DAM

NENESW 20 29N 39E VALLEY 01 RESERVOIR:

QIR_SEC_SEC_IWE_RGE_COUNTY___

01 ONSTREAM NENESH 20 29N 39E VALLEY

* PLACE_DE_USE_ECR_WILDLIFE:

BCRES LOT BLK DIR SEC SEC IMP RGE COUNTY

100 NENESW 20 29N 39E UALLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PREI THINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT#NUMBER#400#-W-077179-00*CCONTINUED)

REMARKS CONTINUED:

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• ٠ THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077179-00, W077180-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WHITE RIGHT CLARM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO BOBCETIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS THERE IS A QUESTION AS IN THE OWELDLIY OF THIS CLARINED SHOWN DRAINAGE AREA, 234 MONT, 343 (1988) (THE BEAM LAKE CASE) THE MONTHAIR SUPREME COURT STATED: "I IS CLEAR THEREFORE THAT UNDER MONTHAIR LAW BEFORE 1973, NO APPROPRIATION RIGHT, WAS RECORDED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING A BETTER UNDERSTRUINS OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY CUMPRIME VOUR RIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY PAIRS, FLOW RATES, USUALES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO UNTER RIGHTS IN ADDIDINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO DITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WAS FEEREN.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF MATERIALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE. DOCUMENT ENTITLED "MUTLE DE ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAIL ABILITY." IF YOU NEED DEJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DILLY) OR 1-406-586-4364, OR BY WRITING TO 9.0. BDX 879, 802ENN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077180-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS LLATHED OR AMENDED. AN ASTERISK (2) HAS SEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCEDUDING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT LLATH CARACTARIAN RULES AS ADDITED BY THE MOTTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED -MOTICE OF ENTRY OF PRELITIANRY DECREE AND NOTICE OF AUGUSTATIV.UNLESS OBJECTED TO GREALED IN ON MOTION OF THE MONTHAM WATER COURT IN THIS CLAIMED WHIER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MOTIANA CODE ANNOTATES.)

MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS PD BOX 201601 HELENA MT 59620-1601

PURPOSE_CUSED: STOCK

* SOURCE : RICHARDSON COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE: JANUARY 08, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER ORY PER AMIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING_CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY * UDLLIME : THIS WATER SOURCE.

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT_OF_DIVERSION_AND_MEANS_DF_DIVERSION:

___LOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY______MEANS_____ Ul NENESW 20 29N 39E VALLEY DAM

NENESW 20 29N 39E UALLEY

RESERVOIR:

OIR SEC SEC IMP RGE COUNTY 01 ONSTREAM

* PLACE_DE_USE_EOR_SIDCK:

- ACRES LOI BLK OIR SEC SEC TWP RGE COUNTY

001 NENESW 20 29N 39E URLLEY

REMARKS:

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

VATERERIGHTENUMBERE4005-V-077180-00%(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF THE WATER RIGHT. RRIHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077129-0. W077189-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

THE DARC EXAMINATION OF THIS CLAIN FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DETAILED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UCLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT ANY BE SUBJECT TO WATER RIGHTS IN ROJUNING BASINS OR SUBBASINS OR SUBFRIGHT SHE SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DECLIMENT ENTITLED "MOTILE OF ENTRY OF PREINTANRY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES IN YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-800-624-3270 CWITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077181-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ARENDED. AN ASTERISK (%) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES HER MUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO BE CALLED IN ON MOTION OF THE NOTHANN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHULL ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS: PO BOX 36800 BILL INGS 59107

MT

PURPOSE_CUSED: VILDLIFE

SOURCE:

MARTIN COULEE SOURCE TYPE: SURFACE WATER

PRIDRITY DATE: JUNE 12, 1965
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW_RRIE:

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT DE DIVERSION AND MEANS DE DIVERSION:

LOT BLK OTB SEC SEC TWP RGE COUNTY MEANS

01 RESERVOIR:

OTR_SEC_SEC_TWP_RGE_COUNTY___

NENWSE 22 29N 39E VALLEY

D1 DNSTREAM NENWSE 22 29N 39E VALLEY

* PLACE_DE_USE_FOR_WILDLIFE:

___OCRES____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY

 ∞ 1 NENWSE 22 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER REPEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 BASIN 400 BASIN 400 BASIN 400 BASIN 400 BASIN 400

WATERIRIGHTINUMBERI4OOI-W-077191-001(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICH PRACTICES. W077181-00. W07718-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DRIC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UMRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS IN THE UNLIDITY OF THIS CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE REFA. 234 MONT 343 (1988) (THE BERN LAKE CASE) THE MONTHMAS SUPPEME COURT STRIED. "IT IS CLEAR THEREFORE THAT UNDER MONTH AL OW EFFOR 1973, NO APPROPRIATION RIGHT MAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRITUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAIMED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE. COMPARE PRIORITY DATES, FLOW RATES, VUCLUES, OR ACKES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. THAILLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWGC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT EMTITLED WHOTICE OF EMTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY.

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELIFINIARY DECREE AND NOTICE OF ANALIABILITY." IF YOU MEED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 939, BOZEMAN MT 5971-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT # NUMBER # 400 # - W-077182-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERBISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSECURITION CONECT DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALLABILITY."
UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE MOTHANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATACO WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BOSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANYDITATE).

USA COEPT OF INTERIOR BUREAU OF LAND MONTO DWNERS: PO BOX 36800

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PURPOSE CUSED: STOCK

* SOURCE:

MARTIN COULEE SOURCE TYPE: SURFACE WATER

PRIDRITY DOIE: JUNE 12, 1965 TYPE OF HISTORICAL RIGHT: USE

NO SLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE:

THIS ONSTREAM RESERVOIR.

VOLUME :

.62 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* PDINT_OF_DIVERSION_AND_MEANS_OF_DIVERSION:

LOI BLK OIR SEC SEC IMP RGE COUNTY MEANS

01 **BESERUDIR:** NENWSE 22 29H 39E URLLEY

OIR SEC SEC IMP RGE COUNTY

01 ONSTREAM NENWSE 22 29N 39E URLLEY

* PLACE OF USE_EOR_SIOCK:

___BCRES_____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____

HEHWSE 22 29N 39E VALLEY

001 BEUGRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABASTM 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIAGOI-W-077182-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77182-OO.

THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, JUDILUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAUE CUESTIONS ABOUT WATER COURT BY CREEDINGS OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 CWITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. 80X 879, BDZEANA NT 59771-0879.

03/31/95

PRELIMINARY DECREE PAGE 3,323 HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PURCUPINE CREEK BESIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTENUMBER: 4002-W-077183-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSECURATION CONEC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT UDBLIANDS THY BE FILED RECURSING TO THE PROFEDURES OUTLINED IN THE DOCUMENT ENTITLE PROFITCE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGIGISHIY. UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DEFINATION OF THIS OBSTRACT. CSEE SECTION 85-2-23. MONTANA CORP AMANDIANS

ESS UBJECTED TO OR CHILLED IN UN MOLITOR OF THE RUNTHAM WHIER COURT IN THIS REE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)										
OVNERS :	WMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800									
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PURPOSE_C	USE):	STOCK								
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RESERVOI	3:									
			OIR_SEC.	SEC_I	WP_RGE_	COUNTY				
01 0851	TREAM		ESHANE	06 ā	9N 40E	URLLEY				
PLOCE_DE	USE_E	DR_SIDCK:								
	BCRESLOI BLK_OIK_SEC_SEC_IMP_RGE_COUNTY									
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MUI	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF									

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400x - W-077183-COx (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077193-00, W077194-00.

THE ONIC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, # 0ATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FOU RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PREINTINARY DECREE AND MOTICE OF AUALIABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED MATER KIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT CANAL TO MATTER OF PRELITINARY DECREE AND NOTICE OF MURILABILATY." IF YOU NEED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT MATER COURT PROCEDURES: "MANGES IT YOUR RIGHT, "DIO TAM CONTACT THE WATER COURT BY CRILING 1-800-624 WITHIN MONTAND ONLY OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 875, JJZEMAN MT 5977-0879.

03/31/95 PRGE 3.325 PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT::NUMBER::400:-V-077184-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ANCHOED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSEQUATION CONEC DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLE FIND THE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE HONTANN WATER COURT IN THIS DECREE, THE ELEWENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTAINS CODE ANNOTATE).

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USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS:

PO BOX 36800 BILLINGS ĦΤ

PURPOSE_CUSE2: WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: NOVEMBER 30, 1970
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. FLOW_ROIE:

.3B AF VOLUME: PERIOD DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEGNS___ 01 EZNWNE O6 29N 40E UALLEY DAM/PTT

RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

O1 ONSTREAM ESNAME OF SAN 40E ANTIEA

* PLACE OF USE_FOR WILDLIFE:

BORES..... LOT BLK OTR SEC SEC TWP RGE COUNTY

001 ESHMHE O6 29N 40E VALLEY

REMORKS :

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE NILK RIVER BELOW WHITEVARER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHTSHUMBER & 4003-W-077184-003 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RILTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077183-00, W077183-00.

** THE FLOURING ISSUES WERE IDENTIFIED BY THE DHRC DURING IS **
** EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN **
** UNRESULUE IF NO GOBLECTIONS ARE FILED.

THEE IS A QUESTION AS 10 THE MALIDITY OF THIS CLINING REGHT. IN THE MATTER OF THE DERBOON DATINGE REGH. 234 MONT, 341 (1989) (THE BEAM LAKE CASE) THE MONTHAN SUPPREME COURT STREED. "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NY APPROPRIATION RIGHT WES RECORDIZED FOR RECREATION, FISH AND WILLIFF, EXCEPT HANDUM A BURNY RIGHT STRIVITE."

A SETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUNR RIGHT WIN OTHER CLAIMS IN THE BREIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, WOLLHES, OR ACKES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISHS OR SUBBESTIAN SELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE OF TALLS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LICATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WHERE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE ODCCUMENT ENTITLE "MOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AUAILABILITY." IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHERE COURT PROCEDURES OR CHANGES TO YOUR TIGHT, YOU CAN CONTRO! THE WHERE COURT BY CALLING 1-800-620-3270 (WITHIN MONTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN H 55971-0079.

PRELIMINARY DECREE PAGE 3,327 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ARSTDOOT BESIN 400 ARSTDOOT BESIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077185-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTERRISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE WERNITERS OF HATUREL RESOURCES AND CHARGEVATION CONCOLOUZING THE EXAMINATION PROCESS. THESE CHANGES RE AUTHORIZED BY THE MOTTAINS WHITE MEDICAL THE WATER RIGHT CLATH EXAMINATION RULES AS MODIFIED BY THE MOTTAINS WHITE SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF MAINTLABILITY." UNLESS OBJECTED TO BY CALLED IN ON MOTION OF THE MOTHAR WATER COURT IN THIS CHARMES, THE ELEMENTS OF THIS CHARMED WATER RIGHT WILL APPEAR IN THE FIMAL DECREE AS SHOWN ON HIS ABSTRACT. (SEE SECTION 85-2-23, MOTHAN COOR ANNOTHER)

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SOURCE	1	UNNAMED SOURCE	UNHAMED TRIBUTARY OF CHERRY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER								
PRIOR	IY_DAIE:	DECEMBI TYPE OF	DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE								
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SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.											
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PRELIMINARY DECREE HILK RIVER BELOW WHITEWARER KREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 AND ADDRESS

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077185-00x(CONTINUED)

REMARKS CONTINUED:

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THE WHITE RIGHTS LISTED FOLLOWING THIS STRIBMENT ARE MULLIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF THE WHITE RIGHT. RRTHER IT DECREES THE EXTENT TO HER THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

WO77185-09. WO77186-09. WO77186-09. WO77185-09. WO77185-09.

THE FOLIOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REHAIN

UNRESQUED IF NO DESICTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REER, 234 MONT. 343 C1980) (THE SEAN CARE CASE) THE MONTANA SUPREME COURT STATED) "II IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECRETION, FISH AND VILLLIFE, EXCEPT THROUGH A MUMPH RIGHT STRIFT."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING OWN RIGHT WITH DITHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITER RIGHTS ON JOILINING BRSINS OR SUBBRINS OR SUELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVE ON TO FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE PETICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF RELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARKED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLE OF MORTICE OF ANATIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PORCEOURSES OR CHANGES TO YOUR RIGHT, YOU OR CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,329 BISTA 400 BISTA

ABSTRACT OF VATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077186-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF AFTURAL RESOURCES AND CONSEQUATION CONRC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MITHORIZED BY THE MONTANA WATER COURT. OR THE WATER RIGHT CLAIM EXAMINATION MULES AS ADDITED BY THE MONTANA SUPPRETE COURT.

OBJECTIONS MAY BE STIFD ACCORDING TO THE PROCEDURES. CHILITHED IN THE DOCUMENT

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077196-00E(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURRH, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WHIER RIGHT. RATHER IT DECREES THE RIGHT TO HE WHIER RIGHT. RATHER IT DECREES THE RIGHT TO HE TENNIE AND EXCHANGE THE USE (DURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING TOUR RIGHT WIND THER CLAIMS IN THE BRISH. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUKES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRASINS OR SUBBASINS AS VELL AS BEING SUBJECT TO CHITER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FRCT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT HITLES "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTAINSTITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHIER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 979, BUZERNA NT 59771-70879.

PIT

PRELIMINARY DECREE HILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLATM

WATER#RIGHT#NUMBER#400#-0-077187-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT)

PO BOX 36800
BILLINGS MT 59107

PURPOSE_(USE): STOCK

SOURCE: UNMAMED TRIBUTARY OF CHERRY CREEK, EAST FORK

PRIBRITY DATE:

FLOW RATE:

DOLUME:

PERIOD_DE_USE:

POINT DE DIVERSION BND MEANS DE DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY DEANS

O1 SENW 12 29N 40E VALLEY

RESERVOIR:

PLACE OF USE FOR STOCK .

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DIRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED :
AS THE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AMAILABILITY."
UNLESS EDUCTED TO OR CALLED IN ON MOTION OF THE MOTINAN WATER COURT IN THIS DECREE, THE LEBRING OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-23), MOTIFAN CODE ANNOTATED.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT I THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF REPORT OF THE PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN 15 9571-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUIDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

₩ATERIRIGHTINUMBERI4001-0-077188-00

***** THIS WATER RIGHT CLAIN HAS BEEN TERMINATED *****

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS

59107

PURPOSE (USE): WILDLIFE

UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK

SENW 12 29N 40E UALLEY

SOURCE: PRIORITY_DATE:

ELOW RRIE: UDLUME:

PERIOD DE USE:

POINT DE DIVERSION AND MEANS DE DIVERSION:

LOT BLK OTR SEC SEC INP. RGE COUNTY MEBNS.

PIT

លា RESERVOIR:

PLACE DE USE EOR MILDLIEE:

REMARKS

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

******* THE DARC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED AS THE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MATLABILITY."

UNLESS BESICTED TO BY CALLED IN ON MOTION OF THE MOTIVAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS RASTRACT. (SEE SECTION 85-2-233, MONTANG LODG ANNOTATED.)

SEE SENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES DE CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHERE COURT BY CALLING 1-BOO-524-3270 (WITHIN MOTION) OR 1-406-586-4364, OR BY WRITING TO P - D - BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT:NUMBER:400:-W-077189-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBUGES FROM YOUR WATER RIGHT AS CLARED OR AMENDED. AN ASTRACT MAY HAVE PLACED NEXT TO EACH ITEM CHANGED BY THE CERTAIN OF MATURAL RESUMECES AND CONSECURITY OF COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER CUBURITY THE WATER KIGHT CLARE EXAMINATION RULES AS ROOPIED BY THE MONTHMA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."

INLESS DECREE TO BE CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THE DECREE. THE ELEMINS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRM! DECREE OF SCHOOL ON THIS DECREE.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36BOO BILLINGS ĦT 59107

PURPOSE_CUSED: STOCK

UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK SOURCE:

SOURCE TYPE: SURFACE WATER

PRIDRITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

ELOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

.62 AF UDLUBE:

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* PCINI DE DIVERSION AND MEANS OF DIVERSION:

NWSENW 12 29N 40E URLLEY PIT

01 RESERVOIR:

____OIR_SEC_SEC_INP_RGE_COUNTY_

O1 DNSTREAM NWSENW 12 29H 40E UALLEY

* PLACE DE USE FOR STOCK :

BCRES LDI BLK QIR SEC SEC IMP RGE COUNTY

001 HUSEHU 12 29N 4DE UALLEY

BEDBBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULLIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWAREN CREEK INCLUDING PORCUPINE CREEK BRILL 400 BRILL 4

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077189-00±(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077189-00, W077190-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHATER RIGHTS IN AUJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURICHBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE: PROTICE OF ENTITY OF PRELITINARY DECREE AND MOTICE OF ANATLABILITY." IF YOU NEED DBJCCTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MORTHM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, 8027889 NT 59727-10879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BISTN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077190-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS LIGHED OR ANEMDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HAUFRAL RESURCES AND COMPRENATION CONCED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." WHILESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DEL

SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
QWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO 80% 36800
BILLINGS MT 59107
PLIREDSE_(USE): WILDLIFE
SOURCE: UNMAMED TRIBUTARY OF CHERRY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER
PRIDRITY DRIE: FEBRUARY 28, 1973 TYPE OF HISTORICAL RIGHT: USE
ELOW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
UDLUBE: .3B RF
PERIOD DE USE: JANUARY O1 TO DECEMBER 31
POINI_DE_DIVERSION_AND_MEANS_DE_DIVERSION:
DI_BLKQIB_SEC_SEC_IMD_RGE_COUNTYDEBNS
O1 NWSENW 12 29N 40E URLLEY PIT
RESERVOIR:
QIB_SEC_SEC_IMS_RGE_COUNTY
O1 ONSTREAM NWSENW 12 29N 40E URLLEY
PLACE_DE_USE_EDB_WILDLIEE:
BCBE2
OO1 NVSENW 12 29N 40E VALLEY
REMORKS:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

REMARKS CONTINUED.

**

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077189-00, W077190-00.

IMERE IS A QUESTION AS 10 THE UNLIDITY OF THIS CLARIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REA, 23 MIONT. 344 (1989) (THE BERN LAKE CASE) THE MONTHAIR SUPREME COURT STRIED. "IT IS CLEAR THEREFORE THAT WHORE MONTHAIR ON BETWEE 1973, MO APPROPRIATION RIGHT WAS RECORDINZED FOR RECRESION, FISH AND WILLLIFE, EXCEPT THROUGH A FURRAY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLRIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RRIES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHITE RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LUGATIONS IDENTIFIED IN THE DUCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGULABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PREI HINARY DECREE AND NOTICE OF AUAITABILITY." IF YOU MEED OBJECTION FIRAS, DR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR KIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1—BOO-524-3270 (WITHIN HONTHAM ONLY) OR 1-406-586-4364, DR BY WRITING TO P. O. 80X 4378, SOZEMAN MT 5971-0079.

ITER	RIGHT NO.		WATER RIGHT NO	1.	WATER RIGHT N	0.
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JSEQ=0008 BSEQ=0008 J5706021

ATER RIGHT NO.		WATER RIGHT N	0.	WRTER RIGHT	NO.
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JSEQ=0008 BSEQ=0008 J5706021

JSEQ=0008 BSEQ=0008 J5706021

PRELIMINARY DECREE PAGE 3,337 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-9-077191-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATMED OR AMENDED. AM ASTERISK (**) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSEQUENTION CONCO. DURING THE EXMINATION PROCESS. THESE CHANGES ARE KUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA WATER SUPREME COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALLABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE

SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800
BILLINGS MT 59107
PURPOSE_CUSE): WILDLIFE
SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE SOURCE TYPE: SURFACE WATER
PRIOBITY DATE: JULY 27, 1963 TYPE OF HISTORICAL RIGHT: USE
FLOW_RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
UDLUME: 15.50 AF
PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
POINT_GE_DIVERSION_AND_MEANS_DE_DIVERSION:
LDI_BLKQIR_SEC_SEC_IWP_RGE_COUNTYMEANS
O1 SENWNE O5 29N 41E VALLEY DAM
RESERVOIR:
QIR_SEC_SEC_IWP_RGE_COUNTY
O1 DNSTREAM SENWNE O3 29M 41E VALLEY CAPACITY:16_0_8C_EI DAK HEIGHT: _17_EI SURFACE AREA:2_84_8C8
SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.
THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.
PLACE_DE_USE_FOR_WILDLIFE:
GCRESLDI_BLKQIB_SEC_SEC_IM6_BGE_COUNTY
OO1 E2NWHE O5 29N 41E URLLEY
REMORKS:

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSTN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:-W-077191-00:(CCNTINUED)

PEMBEKS CONTINUED.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077191-00, W077192-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE 15 A QUESTION AS TO THE UNLIDITY UF THIS CLATTER DIGHT. IN THE MATTER OF THE DERRORM DRINAGE REEA, 234 MONT. 393 (1988) CTHE BERN LAKE CASED THE MONTANS SUPERME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANS LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOMIZED FOR RECREATION, FISH AND VILLIATE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR GORES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHINARY DECREE AND NOTICE OF ANGLASILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAIL ABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEQUES OF CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-524-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER#400#-W-077192-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACTS (2) HAS SEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATUMAL RESOURCES AND CONSECUTION COMED JURING THE EXHIBITION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER COURT OF THE WATER RIGHT CLAIM EXHIBITION RULES AS ROOPTED BY THE MONTHMA DEPARTMENT OF THE MONTHMA WATER COURT OF THE WATER RIGHT CLAIM EXHIBITION RULES AS ROOPTED BY THE MONTHMA DEPARTMENT. SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHARY DECREE AND MOTICE OF AUDILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. CSEE SECTION BS-2-23, MONTHAN COOR ANNOTATED.

	DYNERS	USA (1 PO BO: BILLI	K 36800	INTERIOR	BUREAU MT		MGMTO)				
	PURPOS	E_CUSE2:	STOCK									
¥	SOURCE	1		TRIBUTAI TYPE: SI			LEE					
	PRIORI	IY_DAIE;	JULY 27 TYPE OF	, 1963 'HISTORI	CAL RIGI	HT: USE						
	ELOW_R	AIE:		RATE HA			FOR TH	is us	E FRO	н		
	NOT NAE	t		50 AF								
	PE8100	_DE_USE :	JANUARY	01 TO D	ECEMBER	31						
¥	POINI_	OF DIVER	SIDN_AND	_DEBNS_D	E_DIVER	510N:						
	_		FDI_BLK_	_OIR_SEC	SEC_IW	P_RGE_CO	LYIU		t	EBNS		
	01			SENWNE	05 29	N 41E UA	LLEY		Ε	AM:		
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		ONSTRÉAM CAPACITY:		SENVNE SEDOLE		N 41E UR EIGHT: _		SURF	ACE F	IREA:	2.84_6	CRES
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	001					ESHAHE	05	29N	41E	VALLEY		
	BEDOR	K5 :										

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PRELIMINARY DECREE PAGE HILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN ADDRESS TO ADDRESS THE PROPERT OF WATER BIGHT CLOTH

WATER*RIGHT*NUMBER*400*-W-077192-OO*(CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

WO77193-00, W077192-00.

THE DINC EXPRINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

R BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPAGE PRIDGITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISHS AS YELL AS BEENED SUBJECT TO THER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN ME REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ANDILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AUGILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-624-3270 CUTTRIM MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. SON 579, BUZEMAN MI 59771-70879.

PRELIMINARY DECREE PAGE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSIRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077193-00

IMPORTANT NOTICE

YOUR WATER RISHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONESS FROM YOUR WATER STATED ARE REPORTED BY AN ASTRACT AS A HAS BEEN CAREFUL AS TO BRIGHT THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE CHARGES REFE AUTHORIZED BY THE MONTHAN WHITE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE HONTANA SUPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY.= UNLESS GOBLECTED TO BY CALLED IN ON HOTION OF THE HONTHAN AGREE COURT IN THE SECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 65-2-23, MONTHAN CODE ANNOTATED.

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PD BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIGUTARY OF TANK COULEE SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1956
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UOLUME: -62 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____LOT_BLK__QIR_SEC_SEC_TWP_RGE_CDUNIY______MEANS______

O1 E25WNE 12 30N 35E UALLEY DAM

RESERVOIR:

OTR SEC SEC TWP RGE_COUNTY

O1 ONSTREAM E25WNE 12 30N 35E VALLEY

* PLACE OF USE FOR SIDCK:

___8CRE5____LOI_BLK_QIR_SEC_SEC_IMP_RGE_CDUNIY____

OO1 SWNE 12 BON BSE VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077193-001(CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077193-00. W077194-00.

THE DNAC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDILUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOURNING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIGHN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AMBLIRDALITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR LIBIMED WHITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOLUMENT ENTITLED "NOTICE OF ENTITY OF FREININARY DECREE AND NOTICE OF SUBILIBRALITY." IF YOU MEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-524-3270 (WITHIN MONTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-30479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WHITE RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077194-00

TMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MAVE CUBNICES FROM YOUR WATER RIGHT AS CLAIMED DA MENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH TIEST THE EXPRINATION PROCESSOR THE EXPRINATION PROCESSOR THE EXPRINATION PROCESSOR THE EXPRINATION PROCESSOR THE MATER COURT ON THE WATER RIGHT CLAIM EXAMINATION RULES AS BOODTED BY THE MONTANA WATER SUPPRINE CRIBIT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABBLITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHANA MATER COURT IN THE SECOND OF THE MOTHANA MATER COURT IN THE FINAL DECREE AS SHOWN ON HIS ABSTRACT. (SEE SECTION 65-2-23), MOTHANA CODE ANNOTATED.

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE SOURCE: UNNAMED TRIBUTARY OF TANK COULEE SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1956
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS INSTREAM RESERVICTE. UDI LIME: 2.38 BE PERIOD OF USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC INP RGE COUNTY _MERNS__ 01 EZSWNE 12 30N 35E VALLEY DAM RESERVOIR: OTR SEC_SEC_TWP_RGE_COUNTY O1 ONSTREAM E2SWNE 12 30N 35E URLLEY PLACE_OF_USE_FOR_WILDLIFE: ACRES LOT BLK QIR SEC SEC TWP_RGE_COUNTY_ 001 12 30N 35E VALLEY SWNE

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENUMBERE400s-W-077194-00s(CONTINUED)

REMARKS CONTINUED:

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* z × × * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077193-00, W077194-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS **

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN **

UMRESOLUED IF NO OBJECTIONS ARE FILED. **

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE REA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANN SUPREME COURT STRIED: "IT IS CLERK THEREFORE THAT UNDER MONTAN LAW BEFORE 1973, NO EPPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A BETIER UNDERSTANDING LT YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAINS IN THE BESIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS BELL AS BEENG SUBJECT OF THE RIGHTS ON YOUR SOURCE UF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTAMA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.G. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077195-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MERCHOED. AM ASSERTISK, US MAS BEEN FLACED MEXT TO ERCH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES AND CONSERVATION CONRCD DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUAILABBLITY."
LAMESS OBJECTED TO OR CRALED IN ON MOTION OF THE MOTHANH AWARE COURT IN THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAN GOOD ANNOTATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 HT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF ANTELOPE CREEK, MORTH FORK SOURCE: SOURCE TYPE: SURFACE WATER * PRIGRITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_ROIE: THIS ONSTREAM RESERVOIR. UDLUME: 2.38 AF PERIOD DE USE: JANUARY OI TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS 01 NESWSW 35 30N 35E VALLEY DAM RESERUGIR: OIR SEC SEC IMP RGE COUNTY O1 ONSTREAM NESWSW 35 30N 35E VALLEY PLOCE_DE_USE_EDR_WILDLIEE: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 100 NESWSW 35 30N 35E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,346

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077195-00g(CONTINUED)

REMORKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077195-00. W077195-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

** UNRESOLUED IF MO DBJECTIONS ARE FILED.

THERE IS A QUESTION AS ID THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DARINGSE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE THAT HAS SUFFERE COURT STREET. "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, TISA AND WILCLIFE, EXCEPT THROUGH A MURPHY RIGHT STRUTE."

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT CAM DE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAV BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISINS AS VELL AS BETTING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE OCCUMENT ENTILED "MOTICE OF BUSILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY OECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WHERE COURT BY CRELING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 6979, BOZEMAN MT 59771-0079.

03/31/95 PRGE 3.347

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WRITER RESERVANCE - W-077196-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (**) HAS BEEN PLACED NEXT 10 EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION (OMEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION MULES AS ADOPTED BY THE MONTHMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION MULES AS ADOPTED BY THE MONTHMA SUPPERF COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUNILABILITY.-UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FINEL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MOTHAN COUR ANNOTATE).

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800

HT 59107

PURPOSE CUSED: STOCK

UNNAMED TRIBUTARY OF ANTELOPE CREEK, HORTH FORK

SHIRCE TYPE: SURFACE WATER

* PRIDRITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE:

UDLUME: .62 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK DIR SEC SEC IMP RGE COUNTY MEANS

01

SOURCE:

NESWSW 35 30N 35E VALLEY

RESERVOIR:

CIR SEC SEC TYP RGE COUNTY....

01 DNSTREAM NESWSW 35 30N 35E VALLEY

* PLACE_DE_USE_EDR_STOCK+

BCRES LOT BLK OIR SEC SEC IMP RGE COUNTY

001

HESUSU 35 30N 35E VALLEY

DAM

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PRGE 3,348

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE40DE-W-077196-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077195-00, W077196-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, URLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF FAVILABLISTY."

SEE GEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR LIBITED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DICLUMENT ENTITLE OF ENTRY OF PRELIMINARY DECKEE AND NOTICE OF AUGILED THE PROCEDURES OF CHANGES TO YOUR RIGHT, FOR CAN CAN TOT THE WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAM DULY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 875, BUZEMAN MT 5977-30879.

03/31/95 PAGE 3,349

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077197-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OM THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (*) MAS BEEN PLACED MENT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DORE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." ENTIFIED "MULTED BY ENERGY OF PRELIATIONS DEFREE MOUNTAINS AFER COURT IN THIS DEGREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FIRST DEGREE AS SHOWN ON THIS SERVICE SECTION 65-2-233, MONTHAN COUR ENMONTRED. OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_CUSED: STOCK UNNAMED TRIBUTARY OF MILK RIVER * SOURCE: SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. VOLUME: .93 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION 800 MESNS DE DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUNTY DEAUS_ 01 NENWNE OB 30N 36E UALLEY DRM RESERVOIR: OTR SEC SEC INC RGE COUNTY O1 ONSTREAM NENWHE OR 30N 36E URLLEY * PLBCE_DE_USE_EUR_SIDCK: BCRES LOT BLK OIR SEC SEC TWP RGE COUNTY 001 NENWNE OB 30N 36E URLLEY REMARKS:

THE WATER RIGHTS LISTED FULLOWING THIS STATEMENT ARE MULTIPLE USES OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

PRELIMINARY DECREE PRELIMINARY DECREE NILK RIVER BELOW WHITEWARE RECENT INCLUDING PORCUPINE CREEK PRESS PRESS PROPERTY AND PROPERTY PROPER

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077197-00sCCDNTINUED)

PENOPES CONTINUES.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077197-00, W077198-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. A.GO, YOUR WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS RS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS TOENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITARY DECREE AND MOTICE OF AURILIBRILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTIFE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGUSTATION ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTAND ONLY) OR 1-406-586-3864, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-07719R-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS LATHER OF A MEMOED. AN ASSERDSK (2) HAS BEEM MILED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND COMSERVATION COMED DURING CHANGE OF THE MORE THE MORE AND TH

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY."
UNLESS GOBECTED TO GE CALLED IN ON HOTION OF THE MOTHANN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-239, MOTHANS GOOD ENHOLATED.)

OWNESS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF MILK RIVER * SOURCE: SOURCE TYPE: SURFACE WATER * PRIORITY DATE: DECEMBER 31. 194R TYPE OF HISTORICAL RIGHT: USE ELOW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UOLUME:** 4.07 RF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT_OF_DIVERSION_AND_MEANS_DF_DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NEWWARE OH BON BRE UCLLEY DAM RESERVOIR: OIR SIC SEC IMP RES COUNTY O1 ONSTREAM NEMBURE OR SON SEE URLIEY * PLACE_DE_USE_EDR_WILDLIEE: ACRES LOT BLK DIR SEC SEC TWP RGE COUNTY NEHWNE OB 30N 36E VALLEY 001 REMORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERNL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3.352

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATEN CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHTANUMBERA4002-W-077198-00±CCONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077198-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONRC DURING ITS 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REHAIN 2 UNRESOLUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UPLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBOON DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE HONTAMA SUPPEHE COURT STATED! "II IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILOLIFE, EXCEPT THROUGH A NURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXMMPLE, COMPARE PRIORITY DATES, FLOW RATES, UOLUMES, OR ARKS IRRIGATED. ALSO, YOUR WATER RIGHT MAY AS BUSICET TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFED IN THE DOCUMENT ENTITLED "MATTER OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 5977-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400
ARSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077199-00

THPORTANT HOTTOF

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACT WAY HAVE BEEN PLACED MENT TO RECHILIF AND AN ARCHITECTURE OF THE DEPARTMENT OF NATURAL RESURCES AND CONSEQUATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COUNT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTHAN BY SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF FREITHINARY DECREE AND NOTICE OF AUGILABBLITY." UNLESS DESCREED TO GO CALLED IN ON HOTTON OF THE MONTHNO WATER COURT IN THIS CLARRED WATER RIGHT WILL APPEAR IN THE FINAL DECREE, THE ELEMENTS OF THIS CLARRED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-23) MONTHNO EDGE ANNOTHER.

DWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MONTO

PD BOX 36800 BILLINGS

MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE:

SPRING, TRIB OF ASH COULEE SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE:

4.98 GPM

UOLUME:

7.38 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS

01 NWSWNE 17 BON BEE URLLEY

DEVELOPED SPRING

PLOCE OF USE FOR WILDLIEE:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

HWSWHE 17 30N 36E URLLEY

001 REMARKS:

> THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERA, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO MILTERNATE AND EXCHANGE THE USE CUPROSES OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077199-00, W077200-00

03/31/95 PAGE 3.354

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 985IN 400

ABSTRACT OF WATER RIGHT CLATM

WATER*RIGHT*NUMBER*400*-W-077199-CO*(CONTINUED)

REMARKS CONTINUED:

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* THE FOLLOWING ISSUES WERE ILENTIFIED BY THE DNRC DURING ITS

EXAMINATION OF THIS WATER RICHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLVED IF NO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLATHED RIGHT. IN THE MATTER OF THE DERRBORN DRAINAGE AREA, 224 MONT. 343 (1980) (THE BERN LARK CASE) THE MONTANA SUPREME COURT STATED: "II IS CLERK THEREFORE THAT UNDER MONTANA BY BEFORE 1973, NO APPROPRIATION RIGHT WAS REDUBNIZED FOR RECREATION, FISH AND WILLLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.0 HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO COMFIRM THIS FIGURE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FUR FIRST WITH STAME RESEARCH WITH STAME PRINT HE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISHS AS WELL AS BETTEN SUBJECT TO THER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESEARCH AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETRILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "POILTIE OF ENTRY OF PRELIMINARY DEFREINTHANDERSE AND MOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN HONTARM DALY) OR 1-406-586-4564, OR BY WRITING TO P.O. BOX 575, BOZEMAN MY 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING POPCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077200-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT HS CLAIMED OR AMENDED. AM ASTERISK (2) HAS BEEN PLAYED MEXIT TO EACH ITEM THE EXAMINATION PROCESS. THESE CHANGES REGULARIZED BY THE MONTHAN ATTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN ATTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN ATTER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PREINFURARY DECREE AND NOTICE OF AUGILABILITY." UNLESS OBJECTED TO OF CRILED IN ON HOTION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATACO WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. ISSES SECTION BOTTANDS AFOR SHOWN THE RESTRACT.

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MONTO

PO BOX 36800 BILLINGS

MT 59107

PURPOSE_CUSED: STOCK

* SOURCE: SPRING, TRIB OF ASH COULCE SOURCE TYPE: GROUNDWATER

SUURCE ITPE! SKUUNUWHIEK

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

ELDW_RATE:

4.98 GPM

* UDLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR \$170K WATERING PURPOSES AT THE RATE OF 30 GALLONS PER ONY PER NN'THE UNIT. ANTIME UNITS SHALL BE BRSED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT DE DIVERSION OND MEANS DE DIVERSION:

_____LDI_BLK__OIR_SEC_SEC_IMP_RGE_COUNTY______BEBNS______
O1 NWSWNE 17 30H 36E UALLEY DEVELOPED SPRING

* PLACE DE USE FOR SIOCK:

___BCRES____LDT_BLK_QTR_SEC_SEC_IMP_RGE_CDUNIY_...

001

NWSWNE 17 30N 36E URLLEY

REMBEKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. HE USE OF THE RIGHT FOR SEUERAL PURPOSES DUES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTEHUMBERE400x-W-077200-00x(CONTINUED)

REMARKS CONTINUED:

W077199-00. W077200-00.

THE ONCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \$

* DATA, OR ISSUES TO REPORT TO THE WATER COURT. \$

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNSC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILIARILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CHN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINIARY DEFRE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORTS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN AT 5977-10479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLATH

WATERERIGHTENUMBERE4005-W-077201-00

IMPOSTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATEL COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY SE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."
UNLESS OBJECTED TO OR CRILLED IN OH MOTION OF THE MOTIVANN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATACO WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 65-2-233, MONTANG ADDE ARMOTATED.

DWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF ASH COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. UDLUME: 4.78 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWSE 17 30N 365 VALLEY DAM RESERVOIR: OIR SEC SEC INP RGE COUNTY O1 ONSTREAM NWHWSE 17 30N 36E URLLEY * PLACE OF USE FOR WILDLIFE: ACRES LOT BLK OIR SEC SEC TWP PGE COUNTY 001 WZNWSE 17 30N 36E UALLEY

REDBEKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3.358

PRELITINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 4

WATER*RIGHT*NUMBER*400*-W-077201-00*(CONTINUED)

REMARKS CONTINUED:

* * * *

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077201-00. W077202-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIR. THESE ISSUES MAY REMAIN * LURRESULUE IF HO DELECTIONS ARE FILED.

THESE IS A QUESTION AS TO THE UALIDITY OF THIS CLARIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE THAT WHICH HAVE THE THAT WHICH HAVE THE THAT WHOSE MONTHAIN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBIAIMED BY COMPARING POUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BESINS OR SUBBASINS OR SUBLEL AS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIANRY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE ODCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN HI 5971-10879.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIAODI-W-077202-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONNEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

ו ב	IECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT TITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY = .ESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAM WATER COURT IN THIS REF, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-23), MONTHAM CODE AMHOTATED.)												
	DANESS:	WBEBS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36900 BILLINGS MT 59107											
	PURPOSE_	CUSE):	STOCK										
	SOURCE:			Y OF ASH COULEE IRFACE WATER									
	PRIORITY	PRIORITY DATE: AUGUST 24, 1936 TYPE OF HISTORICAL RIGHT: USE											
ELDW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.													
	NOT THE :			62 AF									
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31												
	POINT_DE	_DIVER	SIDN_861	_DEBUS_O	DIV	ERSIC	H:						
			LOI_BLK	OIR_SEC	SEC_	IVP_S	GE_CD	UBIY			MEANS		
	01			NUNUSE	17	30N 3	B6E VA	LLEY			DAM		
	RESERVOI	B:											
				OIR SEC.	SEC_	IWE_E	GE_CD	UNIY_					
	01 DHS	TREAM		NUNUSE	17	30N 3	B6E VA	LLEY					
:	PLBCE_DE	_USE_E	OR_SIDC	<u>K</u> 1									
		8CB	ES	LOI	BLK_	018	S_SEC_	_SEC_	_IWP_	_BGE_	_COUNTY_		
	001					Wi	HWSE	17	30N	36E	VALLEY		
	REDORKS:												
				S LISTED I									

FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 02

03/31/95 PRGE 3,360

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077202-00s(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77201-00, WO77202-00.

THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 50 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISIS OR SUBBRISH OR BELL AS BERING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITARY DECREE AND MOTICE OF AMPLIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILLD "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN MT 5977:0079-

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077203-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR PHEMOED. AN ASSESSED KES SHEEP PLACED HEXT ID RECHLITCH TES BY THE DEPARTMENT OF THE WATER SOURCES WITH CONTINUED OUTLING THE EXAMINATION PROCESS. THESE CHANGES BREE AUTHORIZED BY THE MONTRHAWATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTRHAWATER SUPPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIXIMARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN MOTION OF THE MOTIVARN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MOTIVATION COMPANIED TO ANNOTATED.

MT

OWNERS:	(DEPT		BUREAU	OF	LAND	MGMTO

BILLINGS
PURPOSE (USE): STOCK

* SDURCE: UNNAMED TRIBUTARY OF BUFFALO COULEE SOURCE TYPE: SURFACE WATER

* PRIGRITY DATE: DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE

-62 AF

ELOW RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

INTO DUSTKEHU KESEKOOTK

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

POINT_OF_DIVERSION_AND_MEANS_DF_DIVERSION:

_____LDT_BLK_QTR_SEC_SEC_TMP_RGE_COUNTY________MEANS______
O1 NESWNE 27 30N 36E VALLEY DAM

59107

RESERVOIR:

______GIR_SEC_SEC_IMP_RGE_COUNTY_____

O1 ONSTREAM NESWHE 27 30N 36E VALLEY
PLACE DE USE FOR STOCK

ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY

OO1 REMARKS:

UDLUBE:

THE WATER RIGHTS LISTED FOLLOWING 1HIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRELIMINARY DECREE PROE 3,362 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 4CO BASIN 400 ABS1#3CT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077203-00±(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077203-00, W077204-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY TWARKING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORICY OATES, FLOW RATES, UDLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER CENTS IN ADJOINING BRISIS OR SUBBRISIN OR SUBLICE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTRHA DRLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN HT 59771-0879.

93/31/95 PRELIMINARY DECREE PAGE 3,363 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MOSTN 400 ABSTRACTOR OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF T

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077204-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MRY HAVE CHANGES FROM YOUR WATER RIGHT AS CLARIDED OR AMENDED. AN ASTRACT MRY HAS BEEN PLACED MRY TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION (ONEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MOTHAMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT

UNL	ESS OBJECTED REE. THE ELE	E OF ENTRY OF PREI TO OR CALLED IN (MENTS OF THIS CLA) S ABSTRACT. (SEE	N NOTION	R RIGHT	MONTANA W WILL RPPE	ATER C	DURT IN T	HIS DECREE				
	PO	CDEPT OF INTERIOR BOX 36800 LINGS		OF LAND 59107	CTHOM							
	PUBPOSE_CUSE	2: WILDLIFE										
*	SOURCE:	UNNAMED TRIBUTE SOURCE TYPE:			ULEE							
*	PRIDRITY_DBI	E: DECEMBER 31, 19 TYPE OF HISTOR		IT: USE								
	ELDW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.											
	VOLUBE:	3.01 AF										
	PERIOD_OF_USE: JANUARY 01 TO DECEMBER 31											
*	POINT DE DI	JERSION_OND_MEAUS_	DE_DIVERS	SIDM:								
		LDI_BLK_QIR_SE	C_SEC_IN	RGE COL	INIY	1	EBNS					
	01	NESWN	E 27 30!	1 36E VAL	LEY		nar.					
	RESERVOIR:											
		QIR_SE	C_SEC_IM	P_BGE_COL	MIY							
	O1 DNSTREE	AN NESWN	E 27 30	N 36E VAL	LEY.							
*	PLACE_DE_US	E EOR WILDLIEE:										
		GCRESLOT	BLK	DIR_SEC_	SEC_IMP	RGE_	CDUNIX					
	001			ESSMHE	27 30N	36E	UALLEY					

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT HRE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

C3/31/95 PRGE 3,364

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIRACI OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077204-00g(CONTINUED)

REMARKS CONTINUED:

1

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077203-00, W077204-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWR. DURING ITS
** EMBRINATION OF THIS MATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
** UMRESOLUED IF NO DOBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE RREA, 234 MONT. 343 (1980) (THE BERN DRE CASE) THE MONTHANA SUPPERE COURT STRIED: "11 IS LIERT THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLATTED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BOSIN FOR EXPRES COMPARED ON FOR THE PROPERTY OFFES, FLOW RATES, UNLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BETTM SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "FOUTIEE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN COMTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5377-10479.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077205-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUDINESS FROM YOUR WATER RIGHT AS CLATMED DR AMENOED. AN ASTERISK C.2 HAS BEEN PLANESPHEET TO FACT ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONRC. DURING THE EXAMINATION PROCESS. I THEE CHANGES ARE CHITARIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA PARES SUPPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGUSTITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTHAIN MATER COURT IN THE SECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL REPER IN THE FINAL DECREE AS SAGMAN ON HIS BOSTRACT. (SEE SECTION 85-2-233, MONTHAIR CODE ANNOTATE).

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

	BILLI	NGS	HT	59107							
	PURPOSE_CUSE2:	STOCK									
	SOURCE:	UNNAMED TRIBUTAR SOURCE TYPE: SU	Y OF BO RFACE W	9 COULEE ATER							
•	PRIORITY_DATE:	DECEMBER 31, 194 TYPE OF HISTORIC	7 AL RIGH	T: USE							
	ELOW_BBIE:	NO FLOW RATE HAS THIS DISTREAM RE			R THIS USE	FROM					
	NOT THE :	-62 AF									
	PERIOD_DE_USE:	JANUARY 01 TO DE	CEMBER	31							
E	POINT_DE_DIVER	SIDU_8ND_UE8NS_DE	DIVERS	IDH:							
		LOT_BLK_QTR_SEC_	SEC_IWE	_BGE_COUN	IY						
	01	NESWHE	29 30N	36E VALLI	EY	DAM					
	RESERVOIR:										
		OIR_SEC	SECIME	_RGE_COUN	IY						
	O1 ONSTREAM	HESWHE	29 30N	36E VALL	EY						
ı	PLACE_DE_USE_E	OB_210CK:									
	808	ESLOI_	BLK0	IR_SECS	EC_IWP	RGECOUNTY					
	001			HESWHE	29 30N	36E VALLEY					
	REMORKS:										
	THE WATER RIGHIS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES HOT INCREASE THE EXTENT OF										

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03/31/95 PRGE 3.366

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF VATER RIGHT CLAIM

WATERERIGHTENUMBERE 400%-W-077205-00%(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICHE PRACTICES. W077205-00, W077206-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WIN OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN A DOIDNING BRISTS OR SUBBRSINS AS WELL AS BEING SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY."

SEE SEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXCLANATION OF YOUR CLASTRED WATER IGHT. THESE FINDINGS CARE SETOUD AS IMPLICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTATION ABOUT WATER COURT PROCEDURES OR CHANGES IT YOUR RIGHT, YOU CAN CONTACT THE WATER COURT WE PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-800-564-384. OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PRELIMINARY DECREE PAGE 3,367 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BBSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077206-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EQUILIFACTURE OF THE PROPERTY OF ANTONION FOR THE CHANGED BY THE GONTANN WATER CHANGES AND CONSEQUATION CONTROL OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA OF THE MONTANA OF THE WATER RULES AS ADDITED BY THE MONTANA OF T SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNL ĀŠ

LESS DBJECTED TO UN CHILLED IN ON MOTION OF THE MONTHAN WHIEK COURT IN THIS REE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)											
DWHERS: USA (DEPT OF INTERIOR BURERY OF LAND MGMT)											
BILLINGS MT 59107											
PURPOSE_CUSE1: WILDLIFE											
SOURCE: UNNAMED TRIBUTARY OF BOB COULEE SOURCE TYPE: SURFACE WATER											
PRIDRITY DATE: DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE											
ELDW_BAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.											
<u>UOLUME:</u> 4.38 AF											
PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31											
POINT_OF_DIVERSION_AND_MEANS_OF_DIVERSION:											
LDI_BLK_QIR_SEC_SEC_IWP_RGE_CDUNIY											
O1 NESWHE 29 30N 36E VALLEY DRM											
RESERVOIR:											
QIR_SEC_SEC_TWP_RGE_COUNTY											
O1 DNSTREAM NESWIE 29 30M 36E VALLEY											
PLACE_DE_USE_EDR_WILDLIEE:											
BCRESLDI_BLKQIR_SEC_SEC_IMP_RGE_COUNTY											
OO1 NESWNE 29 30M 36E VALLEY											
REDBRK5:											
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF											

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O3/31/95 PRELIMINARY DECREE PAGE 3,368 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-V-077206-00*(CONTINUED)

REMARKS CONTINUED:

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* * * ŧ * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077205-00, W077206-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT LIAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF HO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERROUND DRRINAGE REA, 234 MONT. 382 (1980) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW DEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, TISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAYING WATER RIGHT CAN BE DBIAINED BY COMPARING YOUR RIGHT WITH OTHER CLAYING IN THE BESIN- FOR EXAMPLE, COMPARE PRIDRITY DRIES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISH AS BELL AS BEING SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE ONRE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITILED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-584-3870 (WITHIN MORTHMA DALY) OR 1-406-586-4840, OR 8Y WRITING TO C.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,369 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BISTAN 400 ABSTRACT OF WATER RIGHT CLAIM

WRITER & RIGHT & NUMBER & 400 x - W-077207-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (x) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROJECTS. THESE CHANGES ARE AUTHORIZED BY THE MOTHANA WATER COURT OR THE WATER RIGHT CLAIM EXPANDATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

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11	TTLED THE ESS OBJE REE, THE	OTICE (CTED TO ELEMEN	OF ENTRY OR CAL NTS OF T	OF PRELI LED IN ON HIS CLAIM	MINAR' MOTII ED WA	PROCEDU P DECREE ON OF THE TER RIGHT N 85-2-23	AND NO MONTA WILL	ITICE INA WA APPER	OF AL ITER C IR IN	JATLABIL COURT IN THE FIN	ITY.⇒ THIS AL DECREE		
	DWNERS:	USA CI PO BO: BILLI	K 36800			OF LAND 59107	MGMT)					
	PURPOSE	CUSE2:	STOCK										
t	SOURCE:			TRIBUTAR TYPE: SU		BUFFALO C WATER	OULEE						
	PRIDRII	_DAIE:	JULY 09 TYPE 0F	JULY 09, 1944 TYPE OF HISTORICAL RIGHT: USE									
	ELON_88	£:		RATE HAS		DECREED IR.	FOR TI	IIS US	E FR	om .			
	NOT THE :			62 AF									
	PERIOD_	E_USE:	JANUARY	' O1 TO DE	CEMBE	R 31							
*	POINT D	DIVER	SION AND	_MEANS_OF	DIVE	RSION:							
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	01					ON 36E VF				DAM			
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	DPMFDXM			OTD CCC	CCP T	un per er	····						
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	001					HEHWHW	35	301	36E	UALLEY			
	BEDBBKS	1											
	H	ULTIPLE	USES OF	THE SAM	E RIGH	ING THIS IT. THE E INCREASE	JSE OF	THE	RIGHT				

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077207-00±(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. W077207-00, W077208-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXMPHE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT IN ADJULTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-824-3270 (WITHIN MUNITARY DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ERSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*HUMBER*400*-W-077208-00

TMPORTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED MENT 10 FACH LITH CHANGES BY THE DEPARTMENT OF MATURAL RESOURCES AND COMSERVATION CONC.) DURING THE EXMINISTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXMINISTION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUGUSTATION." UNLESS OBJECTED TO OR CALLED IN MOTION OF THE MOTIAND MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WHITER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RASTRACT. (SEE SECTION 65-2-23), MOTIFAN CODE ANNOTATES.

QWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE CUSED: WILDLIFE

UNNAMED TRIBUTARY OF BUFFALO COULEE SOURCE TYPE: SURFACE WATER * SOURCE:

PRIORITY DATE: JULY 09, 1944
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR. ELOW_RATE:

UDLUME: 2.38 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* PDINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY _MEANS__

01 NENWHW 35 30N 36E VALLEY DAM

OTR SEC SEC TWP RGE COUNTY

O1 DNSTREAM NENWNW 35 30N 36E VALLEY

* PLACE OF USE FOR WILDLIFE: ACRES. LOT BLK OTR SEC SEC TWP RGE COUNTY

001 NENWNW 35 30N 36E VALLEY

REMARKS:

RESERVOIR:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SRME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3.372

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASTN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077208-90*(CONTINUED)

REMARKS CONTINUED:

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× × * ± THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077207-00, W077208-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UNLIGITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) CTHE BEAN LAKE CASE) THE HONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECEGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNKING BASINS DR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RUBIL BOLLTY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEQUESES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800_624_32TO_CUTTHIN MONTANA DHLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,373 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:-W-077209-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRAISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF ANTURAL RESOURCES AND COMSERVATION (ONKE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THIS WATER RIGHT CLAIM EXAMINATION RULES AS ABOUTTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

DEC	REE, THE SHOWN ON	ELEME	ITS OF TH	IIS CLAIM	ED WA	TER RIGH	T WILL	APPEA	RIN	THE FINE	AL DECREE		
	OWNERS: USA COEPT OF INTERIOR (PO BOX 36800												
		BILLI	1G5		MT	59107	•						
	PUBPOSE_	CUSE2:	WILDLIFE	Ē									
	SQUECE: UNNAMED TRIBUTAR SQUECE TYPE: SU					RY OF BUGGY CREEK BURFACE WATER							
	PRIORITY DATE: AUGUST 07, 1963 TYPE OF HISTORICAL RIGHT: USE												
	ELOW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.												
	VOLUME:		.i	21 AF									
	PERIOD_O	E_USE :	JANUARY	01 TO DE	CEMBE	R 31							
*	POINT_OF	DIVER	SIDN_AND	MEANS OF	DIVE	RSION:							
			LDI_BLK_	OIR SEC	SEC_I	WP_RGE_D	_YIBUQ:		1	EBNS			
	01			SESESW	15 3	ON 38E I	PALLEY)AM			
	RESERVOI	B:											
				DIR_SEC.	SEC_1	WP_RGE_I	_YIBUQ:						
	01 ONS	TREAM		SESESW	15 3	ION 38E I	JALLEY						
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		808	ES	LOI_	BLK_	_OIR_SE	CSEC_	IWP_	RGE_	CDUNIY_			
	001					SESES	y 15	30N	38E	VALLEY			

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PPELIMINARY DECREE PAGE 3, MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077209-00#(CONTINUED)

REMARKS CONTINUED.

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
1077209-00. M077210-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

**UNRESOLUED IF MO DOJECTIONS ARE FILED.

THE FOLLOWING THE THE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERROWN DRRINAGE AREA, 234 MONT. 343 (1980) (THE BERN LANK CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RISHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETIER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISH OR SELL AS BETH SUBJECT OF OTHER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MATTICE OF ENTRY OF PRELIBINARY DECREE AND NOTICE OF ANALISABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGULABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-624-327 OF UTITAL MONTHAIN DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-30875.

03/31/95

PRELIMINARY DECREE PAGE 3,375 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077210-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (x) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNEED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE

SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)											
WMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36900 BILLINGS NT 59107											
PURPOSE_CUSE1: STOCK											
SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER											
PRIORITY DRIE: AUGUST 07, 1963 TYPE DF HISTORICAL RIGHT: USE											
ELDM_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.											
עַטַעַעַפּני .79 הַּד											
PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31											
POINT_DE_DIVERSION_ONO_MEDNS_DE_QIVERSION:											
LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS											
O1 SESESW 15 30N 3BE VALLEY DAM											
RESERVOIR:											
OIR_SEC_SEC_TWP_RGE_COUNTY											
O1 ONSTREAM SESESW 15 30M 38E UALLEY											
PLOCE_OE_USE_EDR_SIDCK ·											
BCRESLOI_BLKQIR_SECSECIWPRG.T_COUNTY											
001 SESESW 15 30M 39E URLLEY											
REMORKS:											
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF											

03/31/95 PRGE 3.376

PRELIMINARY DECREE MILK RIVER BELOW WHITEHOLD FEEK CREEK CHEEK LINGLING PORCUPINE CREEK BRSIN 400______

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077210-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077209-00, W077210-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES INSTIGATED. ALSO, YOUR WATER RIGHT TAYN BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RAVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILED "NOTICE OF ENTIRED "NOTICE OF ANAILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, BOZEMAN MT 5977:10879.

O3-31/95 PRELIMINARY DECREE PAGE 3,377 MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK MOSTA 400 ARSTROCT OF WATER ARSTROCT OF

WATERERIGHTENUMBERE400g-W-077211-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRISK (1) HAS BEEN PLACED NEXT TO EACH ITEN CHANGES BY THE DEPARTMENT OF MATUREL RESOURCES AND CONSECURATION (DAMED DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA MATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

DEC	REE, THE	ELEME	NTS OF TH	IS CLAIM	ED ¥	MTER	RIGH	T WILL	APPEA	RIN	COURT IN THE FINA ANNOTATE	L DECREE	
	OWNERS:		DEPT OF I	NTERIOR	BURE	AU O	F LAN	D MGMT)				
		BILLI	x 36800 NGS		HT		59107						
	PURPOSE.	(USE):	STOCK										
	SOURCE:		UNNAMED SOURCE T	TRIBUTAR YPE: SU				COULEE					
	PRIDRIIS	L_DATE:	FEBRUARY TYPE OF	28, 195 HISTORIC		RIGHT	1 US	E					
	ELOW_883	Œ:			HAS BEEM DECREED FOR THIS USE FROM RESERVOIR.								
	YOLUME:		.6	SZ AF									
	PERIOD_	DE_USE :	JANUARY	01 TO DE	CEME	ER 3	11						
	POINT_O	E_DIVER	SION_BND.	MEBNS_DE	DIL	JER51	DN:						
			LOI_BLK_	OIR_SEC_	SEC.	IWP.	RGE_	_XINDO:			MEBNS		
	01			SUSUNE	25	30N	38E (ALLEY			DPM		
	RESERVO	IR:											
				OIR SEC.	SEC.	.IVP.	.RGE_I	CUNIX_					
	01 DN:	STREAM		SUSUNE	25	30N	38E 1	PLLEY					
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	001					,	SVSWN	£ 25	30H	38£	VALLEY		

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,378

PRELIMINARY DECRÉE MILK RIVER BELON WHITEWATER CREEK INCLUDING PSRCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

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WATERERIGHTENUMBERE400g-W-077211-00g(CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077211-00, W077212-00.

THE DWRC EXAMINATION OF THIS CLAIM FOUND NO "IGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLATHED WATER RIGHT CAN BE DETATHED BY COMPARING VOUR RIGHT WITH OTHER CLATMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDGITY DATES, FLOW PATES, URLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNINING BASINS OR SUBBRISTS NEW LL AS BETTM SUBJECT TO OTHER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY FERSERVED WATER RIGHT.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILED "NOTICE OF ENTRY OF FREI HINNARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR MAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 5977-10379.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077212-00

IMPORTANT NOTICE

YOUR WHITER RIGHT AS SHOWN ON THIS ROSTROCT MAY HAVE CHOMES FROM YOUR WHITER RIGHT AS CLAYED DO ARRENDED. AN AGENETISK OF A PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURE, RESOURCES AND CONSERVATION CONRC'S DURING THE EXAMINATION PROCESS. THESE CHANGES AGE RUTHORIZED BY THE MORTHAN WHITER COURT OR THE MATTER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MORTHAN AGENETICAL COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABBLITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINH, DECREE AS SHOWN ON THIS ABSTRACT. USES SECTION BS-2-233, MOTHANE CODE INMOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_CUSED: WILDLIFE UNNAMED TRIBUTARY OF CHAPMAN COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1952
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: UDLUBE: 4.38 RF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEGNS SWSWNE 25 30H 38E VALLEY DAM 01 RESERVOIR: OIR SEC SEC TWP RGE COUNTY SWSWNE 25 30H 38E VALLEY 01 DNSTREAM * PLACE_DE_USE_EOR_WILDLIEE: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 SWNE 25 30N 38E URLLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES MOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3,380

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077212-00s(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077221-00. W07721-00.

* THE FOLLOWING ISSUES WERE DENTIFIED BY THE DARC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESOLUED IF MO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERROWN DRAINAGE RREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS OF WATER RIGHT, SHE SUBJECT TO THER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE THOINES CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-70679.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#HUMBER#400#-W-077213-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED DR AMENDED. AN ASTERISK (2) HAS BEEN PLIED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (OWNER) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGULABILITY."
UNLESS OBJECTED TO GO CALLED IN OH HOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. CSEE SECTION 85-2-239, MOTHANE CODE ANNOTATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_(USE): WILDLIFE SOURCE: ANTELOPE CREEK SOURCE TYPE: SURFACE WATER FRIGRITY DATE: AUGUST 06, 1963
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. UDLUME: 16.38 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC_TWP_RGE_COUNTY MEBNS__ SENWINE 27 30N 38E URLLEY 01 DAM RESERVOIR : OTR SEC SEC. TWP. RGE COUNTY O1 ONSTRERM SENUNE 27 30N 3BE URLLEY RESERVOIR/LAKE NAME: BEN RETENTION RESERVOIR THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE OF USE FOR WILDLIFE: OCRES LOT BLK OIR SEC SEC IMP RGE COUNTY 27 30N 38E UALLEY 001 REMORKS: ¥ 0 03

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*HUMBER*400*-W-077213-00*(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIFLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER ALGEORO WITH HISTORICAL PRACTICES. 9077213-00, W077214-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESDLUED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 393 (1988) CTHE DEARN LAW EASE) THE MONTAINA SUFFERE COURT STATED: "IT IS LEAR THEREFORE THAT UNDER MONTAINA LAW BEFORE 1973, NO APPADRIATION RIGHT LAW EASE OF THE STATE OF THE MAD RECORD THE WAS RECORDIZED FOR RECREATION, FISH AND RIGHT LEW EAVERLY THORNIOL OF MINISTRATICE WITH THE STREET THORNIOL OF MINISTRATICE WAS RECORD THORNIOL OF MINISTRATICE WAS RECORD THORNIOL OF MINISTRATICE WAS RECORD THORNIOL OF MINISTRATICE WAS RECORD. WILDLIFE, EXCEPT THROUGH & MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. THE EXAMPLE, COMPARE PRIORITY DATES, FLOW RRTES, JOLUNES, OR ACRES INSTIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO OWNER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OFFICE LICATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MADILED IN THE DECLIFE AND DECREE AND MOTICE OF ANDRUBLITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITILED "MOTICE OF FURTH OF PRELIMINARY DEFREE AND NOTICE OF ANOHAL ABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT BY ADDICATED BY CHARLES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1800-230 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO 1.800-236 (1978-1988-1989) P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF MATER PICKT CLATM

WATER*RIGHT*NIMBER*400*-W-077214-00

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REMBRKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTROL DURING THE EXAMILMATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIXIMRY DECREE AND MOTICE OF ANALISALITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAMED WATER RIGHT WILL APPEAR IN THE FINAL OFCREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-239, MONTANE CODE ANNOTATE.)

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: RTLLINGS 59107 PURPOSE (USE): STOCK ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER SOURCE: PRIGRITY DATE: AUGUST 06, 1963 NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS ONSTREAM RESERVOIR. .62 RF **VOLUME:** PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 SENVINE 27 30N 38E UALLEY DOM RESERVOIR: OTR SEC_SEC_TWP_RGE_COUNTY___ O1 ONSTREAM SENVINE 27 30N 38E VALLEY RESERVOIR/LAKE NAME: BEN RETENTION RESERVOIR CAPACITY: ______17_0_8C_EI DAM HEIGHT: _17_FI SURFACE AREA: ____3.10 ACRES THE SURFACE BREA HRS BEEN ESTIMATED BY DNRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE_DE_USE_EDR_SIDCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

27 30N 3BE UALLEY

В 04

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER SEEK INCLUDING PORCUPINE CREEK PROBLY 400 PRELIMINARY DECREE PRICE PRELIMINARY

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077214-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPONES DOES NOT INTERESE THE EXTENT OF THE WATER RIGHT. RATHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE COURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* THE DIRC EMAINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE MATER COURT. *

A SETTER UNDERSTRADING OF YOUR CLATHED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, WOLUMES, OR ACCRET IRRIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUNING B. ACT'SS OR SUBBASINS AS BELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUDILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR F!/RTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITIANARY DECREE AND NOTICE OF AVAILABILITY." IF YOU WEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 x - W - 077215-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK CIT HAS BEEN PLACED MENT TO HACH ITEM CHANGED BY THE DEPARTMENT OF MATTER. RESOURCES AND CHANGEN HATCH COMED OWRING THE EXHIBITION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIR EXHIBITION RULES AS ADDITED BY THE MONTHAN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY OCCREE AND MOTICE OF MUNICIPALITY." UNLESS GOJECTED TO OR CALLED IN ON HOTTON OF THE MONTHAN WHERE COURT IN THE

DEI AS	SHOWN ON	THIS	ABSTRACT	HIS CLAIM	ECTION	85-5-53	33, MOI	RPPER	R IN THE FI CODE ANNOTA	NAL DECREE TED.)
	OWNERS:	USA (1 PO 80) BILLII	X 36800	INTERIOR	BUREAU MT	0F LAND 59107	MGMT:)		
	PURPOSE_1	: C32U	WILDLIF	E						
	SDURCE:			TRIBUTAR TYPE: SL			CREEK			
	PRIORITY	DOIE:	AUGUST TYPE OF	07, 1963 HISTORIC	AL RIGH	it: USE	•			
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	rornne:		5	BB AF						
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			LDI_BLK	_OTR_SEC	SEC_IW	RGE_CI	DUNIY_		MEANS	
	01			SENVILE	34 301	1 38E VI	ALLEY		DAM	
	BESERVOI	B:								
				_OIR_SEC	SEC_IV	RGE_C	ONAIX-			
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		8CB	E5	LOI	BLK	DIR_SEC	_SEC_	_IVP_	.RGECOUNTY	<u> </u>
	001					SENVNE	34	30H	38E VALLEY	•
	DEMODES.									

REDARSE

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3.386

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077215-00xCCONTINUED)

PEMARKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77215-00. WO77216-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONRC DURING ITS EXAMINATION OF THIS WHER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE RERA, 234 MONT. 394 (1986) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STRIED! "IT IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1937, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILCLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING OURR RIGHT WIN OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, WOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN A JOINING BESINS OR SUBBASINS AS WELL AS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED. FOR THE FORM THE FOR THE FORM

OP31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,987 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ASSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077216-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACT MAY HAVE CHANGED HEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESDUCES AND CONSTRUCTION (DAKE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAW MATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOUTED BY THE MONTHAW AND SUPREME COURT.

UNL	ITLED "N .ESS OBJE .REE. THE	OTICE (CTED T(ELEMEN	OF ENTRY O OR CAL NTS OF 1	' OF PRELI LED IN ON 'HIS CLAIM	MINARY MOTION ED WATE	DECREE 6 OF THE OR RIGHT	ND NO NDNTAI N JJLV	TICE OF A NA WATER RPPEAR IN	THE DOCU AVAILABILI COURT IN THE FINA E ANNOTATE	TY." THIS L DECREE
	DWNERS:	USA CO	EPT OF	INTERIOR	BUREAU	OF LAND	MGMTO			
		BILLI			MT	59107				
	PURPOSE_	CUSE2:	STOCK							
	SOURCE:			TRIBUTAR TYPE: SL			CREEK			
	PRIDRITY	_DBIE:		07, 1963 HISTORIO	AL RIG	HT: USE				
	ELOW_R8I	E:		RATE HAS			FOR TH	IS USE F	ROM	
	DDFRIDE:			.62 AF						
	PERIOD_0	E_USE:	JANUAR	Y 01 TO DE	CEMBER	31				
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			LOI_BLK.	QIR_SEC	SEC_IW	P_RGE_CO	NRIX		_DE885	
	01			SENVINE	34 30	N 38E VA	LLEY		DAM	
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	O1 0NS	TREAM		SENVNE	34 30	N 38E NA	LLEY			
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	001					SENUNE	34	30N 38E	UALLEY	
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	TI	E VOTE	P PTCHT	S I TETEN I	EDI L DIJE	NG THIS	STOTEM	ENT OPE		

THE WHER KIGHTS CISION FULLOWING THIS STREET HERE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT DE WATER RIGHT CLATM

WATER*RIGHT*NUMBER*400*-W-077216-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077215-00, W077216-00.

I THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDESTANDING OF YOUR CLAIMED WATER RIGHT COM BE DBTATMED BY COMPREING YOUR RIGHT WITH OTHER CLAIMS IN THE BRSIN FOR EXAMPLE, COMPREINE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRSINS OR SUBBRSINS AS VELL AS BETTEN SUBJECT TO OTHER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AURIL ABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-564-3-3270 (WITHIN NORTHAN DRLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077217-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR VATER RIGHT AS CLAIMED OR HEMDED. AN ASSESSE CAS 1 MAS SEE HEADED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONC.) OURTING THE EXAMINATION PROCESS. THESE CHANGES ARE GUINDRIZED BY THE MOTHAN COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHAN ATER COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITIMENY DECREE AND MOTICE OF AUGUSTILITY."

UNLESS DBJECTED TO OR CALLED IN ON HOTION OF THE MOTIANN WHITE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATRED WATER KIGHT WILL APPERE IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MOTIFME COLD ENHOLATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PD 80X 36800
BILLINGS MT 59107

<u>PURPOSE (USE)</u>: WILDLIFE * SOURCE: UNNAMED 1

UDLUME:

UNNAMED TRIBUTARY OF CHERRY CREEK. WEST FORK

SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

14.38 RF

* POINT_GE_DIVERSION_AND_NEAUS_OF_DIVERSION:

O1 NESERW O3 30N 39E VALLEY DAM

RESERVOIR:

_____QIB_SEC_SEC_IWP_RGE_COUNTY_____

OI DISTREAM NESENV 03 30N 39E VALLEY

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

__OCRES____LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY_____

 001
 WZNUNE
 03
 30N
 39E
 UALEY

 002
 SEMENU
 03
 30N
 39E
 UALEY

 003
 MESENU
 03
 30N
 39E
 URLEY

REDORKS:

* H 04

03/31/95 PRGE 3.390

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077217-00±(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERA, PURPOSES DOES NOT INTERESS THE RIGHT TO THE WATER RIGHT. RATHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077217-00, W077218-00.

*********** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REFUNDED FOR DEDICTIONS ARE FILED. THESE ISSUES MAY REMAIN

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIRED RIGHT. IN THE MATTER OF THE DEARBORN ORAINAGE REA, 234 MONT. 343 (1988) (THE BERN LAKE CRSE) THE MONTANA SUPREME COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDOE HONTAND LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS ACCOUNTED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT NAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE TOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITAINANY DECREE AND MOTICE OF MORIBIDITY."

SEE GEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARIBED WHITE RIGHT. THESE FINDINGS CAME BEFORD AS THOM OF INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF MAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 18000-1801 (HILLING 1800-1801) WATER COURT OF THE WATER COURT BY CALLING 1800-1801 (HILLING 1800-1801) WATER COURT BY P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400x-W-077218-00

IMPORTANT MOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLADMED OR AMENOED. AN ASTERISK (2) MAS BEEN PLACED WEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MITTURN, RESOURCES AND CONSERVATION CONC.D DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLATM FRANTHATION RULES AS ADDOTTED BY THE MONTANA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIXINARY DECREE AND MOTICE OF AVAILABILITY." BUNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONIFAM WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATTED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTANA CODE ANNOTATED.)

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS fi.T 59107 PURPOSE_CUSED: STOCK * SOURCE: UNMAMED TRIBUTARY OF CHERRY CREEK, WEST FORK SOURCE TYPE: SURFACE WATER * PRIDRITY_DATE: DECEMBER 31, 1548
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR. FLOW RATE: UDLUME: .62 RF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS. Ωī MESENW 03 30N 39E VALLEY Den RESERVOIR: ____OIR_SEC_SEC_IMP_BGE_COUNTY__ O1 ONSTREAM MESENW 03 30N 39E URLLEY * PLACE DE USE FOR STOCK : ___BCRES __LOI_BLK _QIR_SEC _SEC_TWP_ RGE_COUNTY_____ **ASMANE** 03 200 SENENW 03 MESENW REDBEKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILITIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWRITE CREEK INCLUDING PORCUPINE CREEK MILK RIVER BELOW WHITEWRITE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077218-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077217-00, W077218-00.

** THE DIRC EXPRINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * ONTA, DR ISSUES TO REPORT TO THE WATER COURT. *

E DHIM, DK 155DES ID KEPURI ID IME WHIEK COOKI. E

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLURES, OR ACRES INFRIENTED. ALSJ, YOUR WATER RIGHTS IN ADJUINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ENTITE OF ENTITY OF PRELITINIARY DETECTE AND NOICE OF ANAILABILITY." IF YOU NEED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DM.Y) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-30879.

PRELIMINARY DECREE TILK RIVER BELOW WHITEWATER DREEK INCLUDING PORCUPINE CREEK PASIN 400

ABSTRACT OF WATER RIGHT CLAIM

MATERIRICAL SHUMBERS 400x-W-077219-00

THEORETANT NOTICE

YOUR WATER RIGHT OR SHOWN ON THIS RESTRUCT MAY HAVE CRONGES FROM YOUR WATER RIGHT OR CLATHED OR MECADE. OR SETEMENT (*) WAS BEEN PACED HEY TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION COMED. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM AFTER DEPARTMENT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGICALITY. - UNLESS OBJECTED TO OR CALLED IN NOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE TIME, DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MOTHAN COOR ENMOTATES)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PD 90X 358000
BILLINGS
MT 59107 PURPOSE_CUSED: WILDLIFE * SOURCE: UNMAMED TRIBUTARY OF CHERRY CREEK, WEST FORK SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: APRIL 12, 1968 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR. FLOW RAIE: 1.38 AF UDLUME: PERTOD DE_USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 EZNUNE 04 30N 39E URLLEY DAM RESERVOIR: ______OTR_SEC_SEC_TWE_ < ___COUNTY_____ OI ONSTREAM FRANKE OA RON ROF URLLEY PLACE DE USE FOR WILDLIFE: ___BCRES___LOT_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY____ 001 NWNE 04 30N 39E URLLEY REDARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING POACUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077219-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077219-00, W077220-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXHIBITION OF THIS WHIER RIGHT CLAIM. THESE ISSUES HAY REHAIN LUMPESQUED IF MO DBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS H GUESTION AS 10 THE OHILDAY TO THIS CALLANGE CASES THE CARRENGE ASSA 1 THE MONTHAGE AREA, 234 MONT. 343 (1988) (THE BEAN LANG CASE) THE MONTHAN SUPPEME COURT STATED, "1/1 SCLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 19/3, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURRY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING H BETTER UNDERSTANDING OF YOUR CLAIRED WHIER KIGHT LAN BE USHAIRED BY COMPARIAN
FOR RISHN WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES,
FLOW RATES, VOLUMES, OR ARRES IRRIGATED. M.SD., YOUR WATER RIGHT MAY BE SUBJECT
TO WATER KIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAM RESERVED AND FEDERA RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AMPAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF MORIFICIALITY." IF YOU KEED DESCRIPTION FORTHS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES IN YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-POD-524-3270_LWITHIN MONTAND ONLY) OR 1-406-586-346, OR BY WRITHER ID P.U. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077220-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERTISK (2) HAS BEEN PLACED MEXT ID ALL ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND COMSERVATION (OWED DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOUTED BY THE MONTANA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS GENECITED TO GO CALLED IN ON NOTION OF THE NORTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAOWN ON THIS RASSIRANT. (SEE SECTION 85-2-23), NORTHAN CODE ANNOTATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 MT 59107 PURPOSE_CUSE2: STOCK * SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 12, 1968 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS DUSTREAM RESERVOIR. **VOLUME:** .62 AF PERIOD DE USE: JANUARY OL TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS 01 EZNUNE Q4 30N 39E UALLEY DAM RESERVOIR + OTR_SEC_SEC_TWP_RGE_COUNTY O1 ONSTREAM EZNUNE 04 30N 39E VALLEY PLBCE_DE_USE_EDR_SIDCK: BCRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 NWNE 04 30N 39F URLLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE PAGE 3 MILK RIVER BELDW WHITEWATER CREEK INCLUDING PURCUPINE CREEK BASIN 400 ABSIRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077220-00x(CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077219-00. W077220-00.

* THE DATC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WHIER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITIED TO THE OFFIC

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AND THE PROCEDURES." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTINT THE WATER COURT BY CRILING 1-BOO-624-3270 CUTTAIN MOTINAIN DILLY OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMYM NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER::400:-W-077221-00

THEORY NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLAED NEXT ID EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS AGONTED BY THE MONTHAM OF THE MONTHA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF FRELITHINARY DECREE AND MOTICE OF AUGILABELITY." UNLESS GBJECTED TO GR CALLED IN ON MOTION OF THE MOTINAN MATER COURT IN THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROSTRACT. 1585 SECTION 85-2-239, MONTANG RODE ANNOTATES.

USA COEPT OF INTERIOR BUREAU OF LAND MGMTD OWNERS: PD BOX 36800 BILLINGS MT 59107

PURPOSE CUSED: STOCK

SOURCE : UNNAMED TRIBUTARY OF MODNEY COULEE SOURCE TYPE: SURFACE WATER

PRIDRITY_DBIE: APRIL 11, 1968

TYPE OF HISTORICAL RIGHT: USF

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE:

VOLUME: .62 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

MEANS LOT BLK OTR SEC SEC TWP RGE COUNTY SESENE OS 30N 39E VALLEY DAM

01 RESERVOIR:

OIR SEC SEC TWP RGE COUNTY

O1 ONSTREAM SESENE OS 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

TMP_ ACRES LOT BLK OTR SEC SEC RGE COUNTY

001 SUSPINA 500 E00 04 30N 39E UALLEY NUHUSU VALLEY SESENE

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

PRELIMINARY DECREE PAGE 3,398 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077221-00g(CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077221-00, W077222-00.

THE ONCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXMANDE, COMPARE PRIDEITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN A DOININING BASINS OR SUBBRISHS AS WELL AS BETTM SUBJECT OF THE RIGHT CONTROL OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITININGY DECREE AND NOTICE OF AURILIBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF FRELINIARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED 03JECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-524-3270 (WITHIN MONTHAM DALY) OR 1-405-586-4364, OR BY WRITING TO P.O. BOX 679, 802CHAM NT 5977-10079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRTER*RIGHT*NUMBER*400*-W-077222-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLRIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTROL OWNERS OF THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN MATER COURT OR THE WATER RIGHT CLRIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN SUPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHINGRY DECREE AND MOTICE OF RUMILABILITY." UNLESS GESETED TO GE CALLED IN ON HOTION OF THE MOTIAND WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROSTRACT. CSEE SECTION 85-2-239, MONTANG CODE RHNOTATED.

USA CDEPT OF INTERIOR BUREAU OF LAND MGMTD PG BOX 36800 DUNERS: BTI I TNGS 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF MODNEY COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 11, 1968
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. 8.38 AF UDLUME: PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS 01 SESENE OS 30N 39E UALLEY Dan RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM SESENE OS 30N 39E VALLEY * PLACE OF USE FOR WILDLIFE: __ACRES____LDI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY____ SWSWNW 04 04 40E 40E 40E 39E 39E 39E UALLEY 002 003 NUNUSU SESENE VALLEY REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEMATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

RESTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077222-00*(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77221-00. WO7722-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONC DURING ITS
E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLUED IF MO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIRED RIGHT. IN THE MATTER OF THE DERRORN DRAINAGE REED, 230 MUNT. 393 (1988) (THE BESH LAKE CASE) THE MONTANA SUPREME COURT STATED! "IT IS CLEAR THEREFORE THAT UNDER HONTANH AND BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLLIFE, EXCEPT TRANGOL A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REDITED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABLLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED 03JECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROT THE WATER COURT BY CALLING 1-BOO-524-3270 (WITHIN MONTHAM DRLY) OR 1-406-536-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 5977-30790.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077223-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTRACT SK C11 HAS BEEN FLEGED NEXT TO BECH ITEM CHANGES BY THE UPPRAYMENT OF HATUKAR. RESOURCES AND COMPSENATION CONTROL DURING THE EXPAILMENTAM PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLATE EXAMINATION RULES AS ADOPTED BY THE MONTHAM PAGES OF THE MONTHAM PROCESS. SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHRARY DECREE AND NOTICE OF AUGUSTITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTHAN WATER COURT IN THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
S SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-23), NOTITAIN CODE ANNOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 ATI I THES

MT 59107

PURPOSE (USE): WILDLIFE

SOURCE:

SPRING CREEK
SOURCE TYPE: SURFACE WATER

* PRIDRITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RATE:

UGLUNE:

.38 AF

PERTOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI_BLK_DIR_SEC	_SEC.	IVP.	RGE	_COUNTY		
a	1 SWSWNE	07	30N	398	UALLEY	DRM	

RESERVOIR

OTR SEC SEC TWP RGE COUNTY

O1 DHSTREAM SWSWNE 07 30N 39E URLLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

001

SWSWNE 07 30N 39E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERNL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRTER*RIGHT*NUMBER*40D*-W-077223-00*(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077223-00. W077224-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ORD OURING ITS
EXEMPLY AND THE PROPERTY OF THE ORD OUR OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN ITSURE OUR OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORM ORAINAGE AREA, 230 MONT. 383 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A BETTER UNDESTANDING OF YOUR CLATHED WATER RIGHT CAN BE OBTATHED BY COMPARING TOUR TIGHT WITH OTHER CLATMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AMPLIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF RUBILIBILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 5977-10479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK RECTA 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WRTER*RIGHT*MUMBER*400*-W-077224-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) MAS BEEN PLACED MEXT TO EACH ITEN CHANNEED BY THE DEPARTMENT OF MATURAL RESQUERES AND CONSERVATION COMECO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENT DET RS

TITLED MOTICE OF ENTRY OF MELITIMARY DECREE AND MOTICE OF AVAILABILITY." LESS DBJCTED TO OR CRILED IN ON MOTION OF THE MOTHANA WATER COURT IN THIS REF. THE FLATH OF THIS LIAINED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SCITION 85-2-23, MOTHANA CODE ANMOTATE).
ENNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36600
BILLINGS HT 59107
PURPOSE_LUSE1: STOCK
SDUBCE SPRING CREEK SOURCE TYPE: SURFACE WATER
PRIORITY DATE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE
ELDW ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
YOLUME: .62 AF
PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
POINT_DE_GIVERSION_AND_MEANS_DE_DIVERSION:
LOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY
01 SWSWNE OF BON BRE VALLEY DAM
RESERVOIR:
GIR_SEC_SEC_IMP_RGE_COUNTY
O1 DMSTREAM SWSWNE O7 30M 39E VALLEY
PLOCE_DE_USE_EDR_SIDCK:
BCRESLDI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY
001 SWSWNE 07 30N 39E UALLEY
REDBRK5:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELITINARY DECREE PROE 3,4 MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077224-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERMITE AND EXCHANGE THE USE (PURPOSE) OF THE WATER WATERSHOP OF THE WATER WATERSHOP OF THE WATER WATERSHOP OF THE WATERSHOP O

THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, BATA, OR ISSUES TO REPORT TO THE MATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DETAINED BY COMPARING PUR PRIST WITH OTHER CLAIMS IN WHE BASIN FOR EXAMPLE COMPARE PRIDTITY DATES, FLOW MATES, UND WEEK RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISIS OR SUBMISSION OF WELL AS BETT SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIEM RESERVED HAD FEEDER, RESERVED WATER RIGHT MAY BE SUBJECT TO INDIEM RESERVED HAD FEEDER.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WHOTICE OF ENTRY OF PRELITAINARY DECREE AND NOTICE OF RUPEL BALLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRALING 1-000-624-3270 (WITHIN MONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0079.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHER CHEEK INCLUDING PORCUPINE CREEK BRSIM 400

ARSTRACT OF MATER PICHT CLATH

WATERERIGHTENUMBERE400g-W-077225-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN DE THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCEDURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS MODITED BY THE MONTHMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS MODITED BY THE MONTHMA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIFMAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MOTIFMAN GOOD ANNOTATED.

SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTANA CODE RENOTATED.)
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36500 BILLINGS MT 59107
PURPOSE (USE): STOCK
SOURCE: WIRE GRASS COULEE SOURCE TYPE: SURFACE WATER
PRIORITY DRIE: DECEMBER 31, 1967 TYPE OF HISTORICAL RIGHT: USE
ELDW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DMSTREAM RESERVOIR.
UDLUME: .62 AF
PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS DE DIVERSION:
LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS
O1 SWNW O7 30N 39E URLLEY DAM
RESERVOIR:
OIR.SEC.SEC_IMP_RGE_COUNTY
O1 DNSTREAM SWNW O7 30M 39E VALLEY
RESERUOIR/LAKE MAME: CORNWELL RESERUOIR CAPACITY:566_0_80_EI DAM MEIGHT: 26_EI SURFACE AREA:45_90_808E:
SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR RODITIONAL RESERVOIR DATA.
THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC.
PLOCE_DE_USE_EOR_SIDCK:
BCRESLOI_BLKQIR_SEC_SEC_IMP_RGE_COUNTY
OO1 SWM OF ISON € UALLEY

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BESIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLINGERE 400x-W-077225-00x(CONTINUED)

PLACE OF USE CONTINUED:

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MPHM 07 30N 39E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE MOD EXCHANGE THE USE CHAPPOSES OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOT7ZES-OO, WOTZES-OO, W

* THE DWGC EXPAINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNCERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT VITH OTHER CLAIMS IN THE BESTUN. FOR EXAMPLE, COMPARED PRIORITY DATES, FLOW RATES, UGLUMES, OR RICRES IRRIGATED. RISO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BESTUS OR SUBPRISH OR SUELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEERING WATER RIGHTS.

COMPLETE DETAILS REGARDING THE OWNC EXAMINATION VESULTS AND RELATED NATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WAITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BY BUILTIED FUNTILE OF FAIRTY OF PRELIMINARY DEFRE AND MOTICE OF RUBIL BRILLTY." IF YOU NEED OBJECTION FORMS, DR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM DRLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802EMAN MT 5977-30879.

03/31/95 PAGE 3.40?

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT DE WATER RIGHT CLAIR

WATERGRIGHTSNUMBERS 400g-W-077226-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACTISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES AND CONSERVATION (OWNER) DURING THE EXPANDATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMAN MATER COURT OR THE WATER RIGHT CLAIM EMERIMATION RULES AS BOOPTED BY THE MONTHMAN SUPREME COURT.

AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, NONTAINA CODE ANNOTATED.)

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS QUIECTED TO OR CALLED IN ON MOTION OF THE MOTIMAN WATER COUNT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800 BILLINGS 59107 PURPOSE_(USE): WILDLIFE WIRE GRASS COULEE SOURCE TYPE: SURFACE WATER * SOURCE: * PRIORITY DBIE: DECEMBER 31, 1967 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RAIE: THIS ONSTREAM RESERVOIR. 585.38 RF UOLUME: PERIOD DE USE: JANUARY DI TO DECEMBER 31 POINT OF DIVERSION AND MEANS DE DIVERSION : LOT BLK OIR SEC SEC IMP RGE COUNTY MEBUS SWHW D7 30M 39E VALLEY DAM 01 RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNW 07 30N 39E VALLEY RESERVOIR/LAKE NAME: CORNWELL RESERVOIR
CAPACITY: _____586_0_8C_EI DAM MEIGHT: 26_EI SURFACE AREA: ___45_00_8CRES SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. PLOCE_DE_USE_EDR_WILDLIEE: ___OCRES_____LOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY_____

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

RESTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400g-W-077226-00g(CONTINUED)

PLACE OF USE CONTINUED:

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REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077225-00, W077226-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS EXHALMATION OF THIS WHITER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERROOM DRAINAGE REA, 234 MONT. 343 (1986) (THE DERROOM DRAINAGE REA, 234 MONT. 34 TECH 1971). TIS CLERK THEREFORE THAT UNDER MONTHAN SU RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE MASKIN FOR EXAMPLE, COMPARY PRIDETY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BASINS OR SUBBRISIN SHELL AS BETLE SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED MAY FERSERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED **NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.*

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF DULUMENT ENTITLED "MUTLE UP ENTRY UP PRELIMENTARY DELAKE MAY MOTICE ANALYSE ANALYSES OR CHAMBES TO YOUR EIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MANSHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80% 879, BUZEMAN NT 59771-0879.

03-31/95 PRELIMINARY DECREE PAGE 3,409 BASIN 400 BASIN 400

WATERERIGHTENUMBERE400E-W-077227-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MMFMCED. AN ASTERISK (#) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND COMPSENDATION (COMEC) DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXPENDIANTION RULES AS ROOPTED BY THE MYTHAN ASTER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."
BUNESS GENETIED TO DE CALLED IN ON HOTION OF THE MOTIVAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BOSTROCT. CSEE SECTION 85-2-239, MOTIVANHOLDED RAMODATED. <u>DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)</u> PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF MODNEY COULEE SOURCE TYPE: SURFACE WATER PRIORITY DRIE: APRIL 10, 1968
TYPE OF MISTORICAL RIGHT: USE ELCU_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: -62 AF PERIOD DF_USE: JANUARY 01 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK QIR SEC SEC IMP RGE COUNTY MEANS 01 SENESW OB 30M 39E VALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 DNSTREAM SENESW OB 30N 39E VALLEY * PLACE OF USE FOR STOCK: _____BCBES____LOI_BLK__QIB_SEC_SEC_IMP_RGE_COUNTY_____ 001 SENESW OB 30N 39E URLLEY REMARKS t THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERM. PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077227-00±(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077227-00, W077228-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLATHED WATER RIGHT CAM BE OBTAINED BY COMPARING VOIR RIGHT WITH OTHER CLATES IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BESINS OR SUBBRISINS FULL AS BETLEN SUBJECT OF THE RIGHT OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDER MESSEAUED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF ANAILABILITY." IF YOU MEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-405-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN HI 5971-70479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#MUMBER#400#-W-077228-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONKEY DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AURILABILITY." UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTIVARIA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAOWN ON THIS ROSTRACT. (SEE SECTION DES-2-23), MOTIVATION CONTINED TO PROTOTRET.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO 80X 36800 **XT** BILLINGS 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF MODNEY COULEE SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DATE: APRIL 10, 1968
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: **VOLUME:** 1.38 AF PERIOD DE USE: JANUARY 01 TO DECEMBER 31 * POINT_OF_DIVERSION AND MEANS_OF_DIVERSION: LOT BLK DIR SEC SEC IMP RGE COUNTY MEANS 01 SENESW OB 30N 39E VALLEY DAM RESERVOIR: OTR SEC_SEC_IMP_RGE_COUNTY_ O1 DNSTREAM SENESH OR BON BRE UNLLEY * PLOCE_OF_USE_FOR_WILDLIFE: ___OCRES____LOI_BLK__OIR_SEC_SEC_IMP_RGE_COUNTY SENESW OR SON SEE URLLEY 001

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE PAGE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077228-00#(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077727-00. W077229-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONCOURING IS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLUED IF MO BUJECTIONS RRE FILED.

TYERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE OCERROWN DRAINAGE REAR, 234 MUNT. 343 (1980) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTANH LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXMPME, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIFIXARRY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF F-CT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHTER RIGHT. THESE FINDINGS CAN BE FOUND AS INDIGATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PREINTMARY DECREE AND NOTICE OF AVAILABILITY." IF YOU WED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBOS TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 679, BOZEMAN MT 5977-30596.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#40D#-W-077229-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSECURITION CONTC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAHA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATE/ COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTION OF PRELIMINARY DEFENDED AND MOTION OF THE MONTHAN BATER COURT IN THE MUNICIPAL PROPERTY."

DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL REPERR IN THE FINAL DECREE AS SHOWN ON THIS RESTRICT. CSEE SECTION 65-2-233, MONTHAN CADE ARMOTHER.

59107

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 BILLINGS

PURPOSE CUSED: WILDLIFE

UNNAMED TRIBUTARY OF CHERRY CREEK SDURCE: SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 01, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

UOLUME: 4.38 AF

PERIOD_OF_USE: JANUARY O1 TO DECEMBER 31

* POINT DE DIVERSION AND MEANS DE DIVERSION:

LDT BLK OTR SEC SEC TWP RGE COUNTY MEANS NENWSE 10 30N 39E URLLEY

01 RESERVOIR:

OTR SEC SEC TWP_RGE_COUNTY

DAM

O1 ONSTREAM NENWSE 10 30N 39E VALLEY

* PLACE_OF_USE_FOR WILDLIFE:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY. HWHESE 30H 39E

002 NENWSF 10 30N 39F UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400E-V-077229-00E(CONTINUED)

REMARKS CONTINUED:

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x * * * * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077229-00, W077230-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT (LAIT). THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS TO THE MALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARNON DRAINAGE ASEA, 234 MONT. 343 (1988) CTHE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLATMED WATER RIGHT CAM BE GBTAINED BY COURPRING YOUR RIGHT WITH OTHER CLAIMS IN THE BRSIN- FOR EXAMPLE, COMPAGE PRIDETY DATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER KICHIS IN A DOIGNING BASINS OR SUBBASINS AS WELL AS BEENG SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ROTICE OF ENTRY OF PRELITIARRY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-524-357 CWITHIN HONTAND OR 1-405-586-4584, OR BY WRITING TO P.O. BOX 873, BOZEMAN MT 5977-30578.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-V-077230-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CYBNGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONECD OURTING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAWA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAWA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

DE	CREE. THE	ELEMEI	ITS OF TH	IS CLAIM	ED WAT	IN OF THE TER RIGHT 1 85-2-23:	WILL	RPPER	R IN	THE FINE	AL DECREE	
	OWNERS:		36800	NTERIOR	BUREAL NT	J OF LAND 59107	HGMT)				
	PUBPOSE_I	CUSE2 +	STOCK									
	SDURCE:		UNNAMED SOURCE T	TRIBUTAR YPE: SU	Y OF (RFACE	CHERRY CRI	EEK					
	PRIORILY.	DATE:	AUGUST O		AL RI	GHT: USE						
	ELOW_ROII	E:	NO FLOW THIS ONS			DECREED I	FOR T	HIS US	E FR	OM		
	UDLUME:		.6	2 AF								
	5E8100_0	E_USE:	JANUARY	30 OT 10	CEASE!	R 31						
*	POINI_DE	DIVER	SION_AND_	DEANS_DE	DIVE	RSIDU:						
			LOI_BLK	OIR_SEC_	SEC_I	WP_RGE_CO	_YIUU			DEBNS		
	01			NENWSE	10 3	ON 39E VA	LLEY			DAM		
	BESERVOI	R:										
				DIR_SEC_	SEC_I	WP_RGE_CD	NRIA"					
	01 ONS	TREAM		NENWSE	10 3	ON 39E VA	LLEY					
×	PLACE_CE	_USE_E	OR_SIDCK:									
		BCB	E5	LOI	BLK	QIR_SEC_	_SEC_	_IMP	RGE_	_CDUNIY_		
	001 002					NUMESE NEMUSE	10 10	30N 30N	39E 39E	UALLEY UALLEY		
	PEMARKS:											

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077230-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077229-00, W077200-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDESSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE UBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASH. FOR EXAMPLE COMPARE PRIDGITY ORTES, FLOW RATES, URLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEENG SUBJECT OT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILIBILITY."

SEE BEHERN, FINDINGS OF FROI AND CONCLUSIONS OF LAW FOR FURINER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF MOMILED FOR THE PROJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-9270 (WITHIN MONTHAN ONLY) OR 1-406-586-4964, DR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/35 PRELIMINARY DECREE PAGE 2,417 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077231-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATMED OR MEMOED. AN ASTERISK (\$) HAS BEEN PLACED NEXT TO RACH ITEM CHANGED BY THE DEPARTHENT OF MATURAL RESOURCES AND CONSEQUATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RUITHOUTED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE WONTANA WATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALLABILITY.*
UNLESS GREETED TO OR CALLED IN ON NOTION OF THE MONTHAN AWARE COURT IN THE DEC

REE THE ELEME	NTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)									
	DEPT OF INTELIOR BUREAU OF LAND MGMT) X 36800 MGS MT 59107									
PURPOSE_CUSE 2	WILDLIFE									
SOURCE:	UNHAMED TRIBUTARY OF SCHOOL SECTION COULEE SOURCE TYPE: SURFACE WATER									
PRIDRITY_DATE	R AUGUST 31, 1969 TYPE OF HISTORICAL RIGHT: USE									
ELOW_RRIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.									
UDLUME:	4.38 RF									
PERIOD_DE_USE	JANUARY O1 TO DECEMBER 31									
POINT DE DIVER	POINT_DE_DIVERSION_BND_NEBNS_OE_DIVERSION:									
	LOI_BLK_QIB_SEC_SEC_IMP_RGE_COUNTY									
01	SENUSE 11 30N 39E VALLEY DAM									
RESERVOIR:										
	OIR SEC_SEC_IMP_RGE_COUNTY									
O1 DNSTREAM	SENUSE 11 30N 39E URLLEY									
PLACE_DE_USE_	EDR_WILDLIEE:									
00	RESLOIL_BLKQIR_SEC_SEC_IWP_RGE_COUNIY									
001	SENWSE 11 30N 39E VALLEY									
BEDOSKS:										
MULTIPL	ER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ESSES OF THE SAME RIGHT. THE USE OF THE AIGHT ERAL PURPOSES DOES NOT INCREASE THE EXTENT OF									

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWITER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400x-W-077231-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077231-00. W077232-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DRCC DURING ITS

** EXPAINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN **

** UNRESOLUED IF MO OBJECTIONS REF FILED. **

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE WHITER OF THE DEARBOOM DRAINAGE REA, 234 MONT, 349 (1989) (THE BEAN LAKE CASE) THE WONTANA SUPPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MIRROY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW PATES, VOLUMES, OR ACRES IRRIGATED. ASJ., YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOILING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE DFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DF PRELITIMARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTICE OF ENTRY OF PRELITINARY DETRET ON ONICE OF AUGUST AND A CONTROL OF AUGUST OF

03/31/95 PRELIMINARY DECREE PRICE 3,419 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PURCUPI-E CREEK ARSTPACY OF THE PRICE

WATERERIGHTENUMBERE400x-W-077232-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CRITICAL DIK MYRINGED. AN ASSERTISK (2) MAS BEEN PLACED MEXT TO WATER CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (DWAC) DURING THE EXMINATION PROCESS. THESE CHANGES AME ROUSERS AND THE MOUTHAN WATER COURT OF THE WATER RIGHT CLRIT MERMINATION RULES AS MODIFIED BY THE MOUTHAN WATER COURT OF THE WATER RIGHT CLRIT MERMINATION RULES AS MODIFIED BY THE MOUTHAN AFTER COURT OF THE WATER RIGHT CLRIT MERMINATION RULES AS MODIFIED BY THE MOUTHAN AFTER COURT OF THE WATER RIGHT CLRIT MERMINATION RULES AS MODIFIED BY THE MOUTHAN AFTER COURT OF THE MOUTHAN ASSETTING THE MOUTHAN ASSETT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIABILITY."
UNLESS OBJECTED TO DE CRILED IN MOTION OF THE MOTHAMA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPRAP TO THE STREAM OF THE MOTION OF THE MOTHAMA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPRAP TO THE STREAM OF THE STR

Ė١	TREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN OH THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
	OMMERS: USA (DEPT OF INTERICA BUREAU OF LAMO MGMT) PO BOX 36800 MT 5910.
	PURPOSE_LUSE2: STOCK
	SOURCE: UNMAMED TRIBUTARY OF SCHOOL SECTION COULEE SOURCE TYPE: SURFACE WATER
*	PRIDRITY_DBTE: AUGUST 31, 1969 TYPE OF HISTORICAL RIGHT: USE
	ELOW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
	UDLUTE: .62 AF
	PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31
¥	POINT_OF_DIVERSION_BND_MEBNS_DF_DIVERSION:
	LDI_BLK_QIR_SEC_SEC_IMP_8GE_CDUNIY
	O1 SENWSE 11 30N 39E URLLEY DAM
	RESERVOIR:
	QIR_SEC_SEC_IMP_RGE_COUNTY
	O1 DNSTREAM SENWSE 11 30N 39E VALLEY
*	PLACE_DE_USE_EDR_SIDCK:
	ACRESLOI_BLKQIR_SEC_SEC_IWP_RGE_COUNTY
	OC1 SENWSE 11 30N 39E UALLEY
	REDBEKS:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DUES MOT INCREASE THE EXTENT OF

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03/31/95

US-31/95 PRELIMINARY DECREE PRGE 3,420 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENUMBERE400x-W-077232-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERWATE ROD EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077231-00, W077232-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLATTED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLATTS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDBITY DATES, FLOW RATES, UDLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BOSINS OR SUBBRISH OR SHELL AS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MOY FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PREININARY DECREE AND NOTICE OF RUBIL BBLITY. IF YOU WEED OBJECTION FORMS, DO MADE QUESTIONS ABOUT WATER COURT PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTACT IN ME WATER COURT BY CRILING 1-BOD-624-3270 (WITHIN MOTINE) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 679, BOZEMAN HT 5977-0679.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPTNE CREEK BASIN 400 BRSTRACT OF MATER RIGHT CLAIM

WATER#RIGHT#96###FR#400#-W-077233-00

TRECETENT NOTTEE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER THE EMPILE ALTHOUGH THE STRUMENT HE STRUMENT HAVE LIGHTING FROM THE WHIEN RESERVED. AN ASTERISK (S.) MAS BEEN PLACED NEXT TO ERON ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMED DURING THE EXMINISTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXMINISTION RULES AS ADDRIED BY THE MONTANA SUPPENE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHMARY DECREE AND MOTICE OF AUAIL ABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FIRM, DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAIN COLD ENMOTHER)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107

PURPOSE_CUSED: WILDLIFE

SPRING, TRIB OF SCHOOL SECTION COULEE SOURCE TYPE: GROUNDWATER * SOURCE:

* PRIDRITY DATE: DECEMBER 31, 1960
TYPE OF HISTORICAL RIGHT: USE

THE FLOW RATE AND VOLUME ARE LIMITED TO THE MINIMUM AMOUNTS NECESSARY TO SUSTAIN THIS PURPOSE. THIS RIGHT SHALL CONTINUE TO BE UTILIZED IN ACCORDANCE WITH HISTORICAL PRACTICES. * FLOW RATE:

* UDLUME:

* PLACE_DE_USE_FOR_WILDLIFE:

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* PDINT_DE_DIVERSION_AND_MEANS_OF_DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY TERMS DEVELOPED SPRING

NESWNE 11 30N 39E VALLEY

___OCRES____LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____

NESWNE 11 30N 39E UALLEY

001 REMARKS:

> THE WATER RIGHTS LISTED FOLLOWING THIS STATEHENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURRA, DUMPOSES DOES NOT INDREASE THE EXTENT OF THE WATER RIGHT. RRITHER IT DECREES THE RIGHT TO RETERNITE AND EXCHANGE THE USE CURPOSES OF THE WATER RIGHT. IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

MATERIRIGHT INLINGER # 400 - W-077233-00 # (CONTINUED)

REMARKS CONTINUED:

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W077233-00, W077234-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXHIBITION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LUMRESQUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLATHED RIGHT. IN THE NATTER OF THE DERRORM DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LARC CASE) THE NONTAWA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAHA IN BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURRHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT UITH DIMER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. 43.50, YOUR WATER RIGHTS IN ADJITUTING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF RUNIL ABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF DEC DESCRIPE FAMILIAND OF THAI HOW CURLUDILING OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF HORIZON OF THE PROCEDURES OR CHANGES TO YOUR RETON, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-524-3270 (WILHIM, MONTHAM ONLY) OR 1-405-586-384, OR BY WRITING 10 P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077234-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PARCED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MITURAL RESOURCES AND CONSERVATION (OWNED DURING THE EXPRINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTARA WATER COURT OF THE WATER TIGHT CLAIM EMPRINATION RULES AS FOODPTED BY THE MONTARA WATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY." UNLESS BASILTED TO DO CALLED IN ON HOTION OF THE MOTHAM MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED MATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS RESTARCT. (SEE SECTION 85-2-23, MOTHAM CODE INMIDIATE).

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HGHT)
PD BOX 36800

MT 59107

PLIRPOSE (USE): STOCK

BILLINGS

SPRING, TRIB OF SCHOOL SECTION COULEE SOURCE TYPE: GROUNDWATER * SOURCE:

* PRIDRITY_DATE: DECEMBER 31, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

1.97 GP#

UGLUME:

THIS WATER RIGHT INCLUDES THE ARGUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING FURPOSES AT THE RATE OF 30 GALLOMS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE WREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MERNS OF DIVERSION:

LDI BLK CIR SEC SEC TWP RGE COUNTY MEANS

NESUNE 11 30H 39E VALLEY

* PLBCE_DE_USE_EDR_SIDCK:

BCRES LOT BLK OIR SEC SEC TWE RGE COUNTY

NESWNE 11 BON BOE URLLEY

DEVELOPED SPRING

001 REMARKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SPHE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER II DECREES THE RIGHT TO RITERMATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRTER#RIGHT#NUMBER#400#-W-077234-00#(CONTINUED)

REMARKS CONTINUED:

W077233-00, W077234-00.

* THE DINC EXPRINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER LOURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING OWNER RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, DOMPARE PRIDRITY DATES, FLOW RATES, VOILUMES, OR ACRES IRRIGATED. 91.50, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIRK RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE OWNC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUSTLABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCCUMENT ENTITLE "MOTICE OF ENTY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 873, 802EMENT NT 5977-10879.

PREI IMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077235-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENIED. AN ASSERISK (2) MAS BEEN PLRCED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (OMED DURING THE EXPAINATION PROCESS. THESE OWNERS ARE AUTHORIZED BY THE MONTANN WATER COURT OF THE WATER RIGHT CLAIM EMANIMATION RULES AS ABOUPTED BY THE MONTANNA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED **NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY.** DEI ŘŠ

LESS DOJECTED TO OR CALLED IN ON MOTION OF THE MONTAWN WATER COURT IN THIS GREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTAWA CODE ANNOTATED.)
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800
BILLINGS MT 59107
PURPOSE (USE2: WILDLIFE
SOURCE: SCHOOL SECTION COULEE SOURCE TYPE: SURFACE WATER
PRIORITY DATE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE
ELOW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
VOLUME: 5.38 AF
PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
POINI_DE_QIVERSION_OND_MEONS_DE_DIVERSION:
LOI BLK QIR SEC SEC IMP BGE COUNTY MERUS
O1 SEMESW 12 30M 39E VALLEY DAM
RESERVOIR:
QIR_SEC_SEC_IWP_RGE_COUNTY
O1 ONSTREAM SENESW 12 30N 39E VALLEY
PLACE_DE_USE_EDR_WILDLIEE+
BCRESLOI_BLKQIR_SEC_SEC_IMP_RGE_COUNTY
001 SENESW 12 30N 39E UALLEY
REDORKS:
AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF STORRGE AND PLACE OF USE COMPLETED 10-00-87. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY, 1973.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

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WATERERIGHTENUMBERE4002-W-077235-00±(CONTINUED)

REMARKS CONTINUED:

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APPROVED CHANGES WILL BE RECORDED BETER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DUES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURO WITH HISTORICAL PRACTICES.

WO77225-00, WO77236-00.

THE FOLLOWING ISSUES WERE DENTIFIED BY THE DWGC DURING ITS
EXPRIMATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REMAIN
UNRESOLUED IF MO DEDECTIONS RRE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DORRHORN DRAINAGE REE, 234 MONT. 343 (1980) THE BERN LAKE CASE) THE MONTANA SUPREME COURT STRIED: "II IS CLERR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, MC APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A WURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." IF YOU NEED COJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MODITAIN DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 873, BOZEMAN MI 5971-10879.

O3/31/95 PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WAYNESS AND ABSTRACT OF WA

WATERERIGHTENUMBERE400E-W-077236-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO BEEN ITHE CHANGED BY THE DEPARTMENT OF NATURAL RESUMENCES AND CONSEQUENTION CONCE? DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM CHANTARTON RULES AS BODDFEO BY THE MONTHAM PATER COURT OR THE WATER RIGHT CLAIM CHANTARTION RULES AS BODDFEO BY THE MONTHAM SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABBLITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIMAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE S SHOWN ON THIS ROSTRACT. CSEE SCCIION 65-2-233, MONTHAN COUR ENHOLATER.

Stiden on the	The state of the s
OWNERS: USA C PO BO BILLI	DEPT OF INTERIOR BUREAU OF LAND MGMT) X 36800 NGS NT 59107
PURPOSE_CUSE2:	STOCK
SOURCE:	SCHOOL SECTION COULEE SOURCE TYPE: SURFACE WATER
PRIORITY DATE:	FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE
ELOW_RAIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
י שמונוע י	.52 AF
PERIOD DE USE:	JANUARY O1 TO DECEMBER 31
POINT OF DIVER	SIDH_AND_MEANS_DE_DIVERSION:
	LOT BLK QIR SEC SEC TWP RGE COUNTY MEANS
01	SENESW 12 30H 39E VALLEY DAM
RESERVOIR:	
	QIR_SEC_SEC_TWP_RGE_COUNTY
O1 DNSTREAM	SENESW 12 30N 39E VALLEY
PLACE OF USE E	OR_SIDEK:
80	ESLDI_BLKQTR_SEC_SEC_TWP_RGE_COUNTY
001	SENESW 12 30N 39E URLLEY
REDORKS:	
CTOPAGE	ZATION TO CHANGE POINT OF DIVERSION, PLACE OF AND PLACE OF USE COMPLETED 10/08/87. FILE 5 RIGHT AS IT EXISTED PRIOR TO JULY 1973.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLATM

WATERIRIGHTINUMBERI4001-W-077236-001(CONTINUED) PEMARKS CONTINUES.

RPPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURAR, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077235-00, W077236-00.

THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED NND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OFFICE OF METHER FOR FREE FINDINGS CAN BE FOUND AS INDICATED IN THE ORDITION OF THE OFFICE FOR

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 88SIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077237-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE BEPARTHENT OF NATURAL RESOURCES AND CONSERVATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.**

DEC	CREE. THE	E ELEMEI	NTS OF TI	HIS CLAIM CSEE S	ED WA	TER RIG	HT WILL	APPEAR	IN THE	: FINA	L DECREE	
	OWNERS:	USA (DEPT OF 1	INTERIOR	BUREA	U OF LA	ND MGMT)				
		BILLI			MT	5910	17					
	PURPOSE	CUSE):	STOCK									
	SOURCE:		UNNAMED SOURCE	TRIBUTAR TYPE: SU	Y OF RFACE	MOONEY WATER	COULEE					
	PRIORII	Y_DBIE:		1, 1968 HISTORIC	AL RI	GHT: L	SE					
	ELDW_R8	IE:	NO FLOW THIS ON	RATE HAS STREAM RE	BEEN SERUC	DECREE	D FOR T	HIS USE	FROM			
	ADTARE:			62 AF								
	PERIOD_I	DE_USE:	JANUARY	O1 TD DE	CEMBE	R 31						
*	POINT_O	E_DIVER	SION_AND	_DEONS_OF	DIVE	RSION:						
			LDI_BLK_	_OIR_SEC.	SEC_1	WP_RGE	COUNTY		BEB	35		_
	01			SESUNU	17 3	ON 39E	VALLEY		DAM			
	RESERVO	IR:										
				_OIR_SEC_	SEC_1	WP_RGE	COUNTY					
	01 DH	STREAM		SESYNY	17 3	ON 39E	URLLEY					
*	PLOCE_D	E_USE_E	OR_SIDCK	1								
		808	ES	LOT	BLK	_QIR_S	ECSEC_	_IWP8	RGECO	UNIY		
	001					SESW	N₩ 17	30N :	99E VA	LLEY		
	REDORKS											
	Ħ	ULTIPLE	USES OF	LISTED F	RIGH	AT. TH	E USE OF	THE R	IGHT			

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03/31/95 PAGE 3.430

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077297-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. M077237-00, W077238-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLATTED WATER RIGHT CAM BE OBTAINED BY COMPARING FOUR RIGHT VITH OTHER CLATMS IN THE BESIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR AGRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS LIN ADJUINING BRISINS OR SUBBRISIN SHELL AS BEING SUBJECT OF THE RIGHTS OF THE PROPERTY OF THE RIGHT WAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINDRY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF FINTHRY OF PRELITINARY DECREE AND NOILCE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-BC4-3270 (WITHIN HONTOH DRIV) OR 1-406-586-4384, OR BY WRITING TO P.D. BOX 979, BOZEMAN HT 59771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077238-00

REDORKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS LATHED DR HATER REPORT AS BEEN RIGHT AND LATER OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE REPORT OF THE WORTH OF THE REPORT OF THE WORTH OF THE REPORT OF THE WORTH OF THE REPORT OF THE WORTH OF T

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTIES OF ENTER OF PRELIMINARY DECREE AND MOTICE OF ANALIABLITY. I WHILESS DESCREED TO OR CALLED IN ON HOTION OF THE MOTIMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BRISTRET. CSEE SECTION 85-2-233, MONTRING CORE ANNOTATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36900 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF MODNEY COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DBJE: APRIL 11, 1968
TYPE OF HISTORICAL RIGHT: USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UDLUME:** .38 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDI BLK DIR SEC SEC INP BGE COUNTY MEANS SESWNW 17 30N 39E URLLEY DAR 01 RESERVOIR: OTR SEC SEC TWP_RGE_COUNTY O1 ONSTREAM SESWNW 17 30N 39E UALLEY * PLACE DE USE FOR WILDLIFE: BCRES LOT BLK OTB SEC SEC TWP RGE COUNTY SESUNU 17 30N 39E VALLEY 001

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077238-00x(CONTINUED)

REMARKS CONTINUED:

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1 1 THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RILTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. W077237-00, W077238-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONKE DURING ITS EXHMINATION OF THIS WATER RIGHT LAIM. THESE ISSUES MAY REMAIN UNKESSLUED IF MO BOJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONIANA SUPREME COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT THY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PPELLYTHARY DECREE AND NOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHERE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALASELITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1800-7327 (WINTER MONTHAN DOLLY) OR 1-006-586-384, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER RELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBEREAODE-W-077239-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AN ASTRACTS ACC 2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAN. RESOURCES AND CONSERVATION COMECO DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE WATER KIGHT CLAUM EXAMINATION RILES AS ROOPTED BY THE MONTHANA SIPPERE COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHINGRY DECREE AND MOTICE OF AVAILABILITY." UNLESS GUBLETED TO DE CALLED IN ON HOTION OF THE MOTIMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPRAR IN THE FINN, DECREE AS SHOWN ON THIS MOSTRACT. CSE SECTION 65-2-239, MOTIMAN GOODE ARMOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PO BOX 36800

MT 59107

RTI L TNGS PURPOSE_(USE): WILDLIFE

SOURCE:

WELL SOURCE TYPE: GROWNOWNIER

* PRIORITY DBIE: DECEMBER 31, 1966
TYPE OF MISTORICAL RIGHT: USE

ELOW_ROTE:

1.97 GPM

VOLUME:

2.61 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

01 NENVSE 17 30N 39E URLLEY * PLACE OF USE FOR WILDLIFE:

___ACRES____LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____

001 NENVSE 17 30N 39E VALLEY

REBARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SCUEREL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077239-00, W077240-00,

PRELIMINARY DECREE PAGE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077239-00x(CONTINUED)

REMARKS CONTINUED.

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** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS ** EXPRIMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN ** UMRESOLUED IF HO DEJECTIONS ARE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPRINT THIS CLATH.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERIBORN DMAINAGE REER, 23 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COUNT STATED! "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO MAPPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AWD UNLOLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

UDLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERIDO OF USE, THE SYSTEM WOULD HAVE TO RUM 19.7 HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS FIGURE.

A BETTER UNIGERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, HOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINHLLY, YOUR WATER RIGHT HAY BE SUBJECT TO INCIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INCIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

TO INCLAM RESERVED AND FEDERAL RESERVED WHIER RIGHTS.

COMPLETE DETAILS REGARDING THE DING EXAMINATION RESULTS AND RELATED MATERIALS

COM BE REVIEWED 11 THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER NYGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MILIZO" WE THEY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 874, BOZPMAN MT 5477-10479

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

DESTROCT OF WATER PIGHT IT ATM

WATERERIGHTENUMBERE400E-W-077240-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS MESTRECT MAY HAVE CHOSESS FROM YOUR WATER RIGHT AS CLAIMED OR MEMORED. AN ESTERISK IS 23 MAS BEEN ACCO MENT TO EACH ITER CHANGED BY THE DEPORTMENT OF MATURE, RESCUREES AND CONSERVATION COMES DURING THE EXMINATION PROCESS. THESE CHANGES ARE PURPORTED BY THE MONTHMA WATER COURT OR THE MATER RIGHT CLAIM EXMINATION RULES AS ADOPTED BY THE MONTHMA WATER

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY OFCREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHAN MATER COUNT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MASTEROT. (SEE SECTION 85-2-23), MOTHAN CODE ARMOTHERS.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD 80X 36800

KT 59107

BILLINGS
PURPOSE (USE): STOCK

SOURCE: WELL

WELL SOURCE TYPE: GROUNDWATER

* PRIDRITY DATE: DECEMBER 31, 1966 TYPE OF MISTORICAL RIGHT: USE

FLOW RATE:

1.97 GPM

* UOLUME:

01

THIS WATER RIGHT INCLUDES THE AROUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANITHAL UNIT. ARITHAL UNITS SHALL BE BASED ON REASONMBLE CARRYING CAPACITY AND MISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK_QTR_SEC_SEC_TWP_RGE_COUNTY

NEMUSE 17 30N 39F UALLEY

* PLACE_DE_USE_EDR_SIDCK:

GCRES LOT BLK QIR SEC SEC IMP RGE COUNTY

001 NENVSE 17 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT MEMULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES.

03/31/95

HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLEIBERE400x-W-077240-00x(CONTINUED)

REMARKS CONTINUED:

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W077239-00, W077240-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF MO OBJECTIONS ARE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CHN BE CURTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASKN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLINES, OR AGRES IRRIGHTED. M.SO, YOUR WHER RIGHT WAY BE SUBJECT TO WATER RIGHT HOW SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED MAY FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AMAILABILITY."

SEE SEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANTION OF YOUR CLRIMED WHITE RIGHT. THESE FINDINGS CAME BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED DEJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1800-1807 (1911) INDIVIDING DAY, OR 1-406-556-356, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERISHTENUMBERE4002-W-077241-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENOED. AN ASTRICK (2) HAS BEEN PLACED NEXT TO ENCH ITEM CHANGED BY THE OPERATIVENT OF ANY ANTHRIM, RESOURCES AND CONSERVATION (DINCE) DURING THE EXMINISTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OF MILE MATER RIGHT CLAIM EXPANDIANCIAN MILES AS ADDOTTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTITE OF ENTITLED FOR THE THIRD FOR THE THIRD FOR THE MOTITE OF ANALYSIS TO WE CALLED IN ON HOTION OF THE MOTITMAN WATER COUNT IN THIS CHARGE, THE ELEMENTS OF THIS CLAIMED WATER THAT WILL MAPPER IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MONTHAN CODE ARMOTATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 BILLINGS

MT 59107

PURPOSE (USE): WILDLIFE

SOURCE 1

SOURCE TYPE: GROUNDWATER

PRIORITY DRIE: JANUARY 11, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RRIE: 4.98 GPM

UOLUME:

7.42 RF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

SENVSE 18 30N 39E URLLEY 01

* PLACE OF USE FOR WILDLIFE:

__BCRES____LOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY_

SENVSE 18 30N 39E URLLEY

001 REMARKS :

> THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESS THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077241-00, W077242-00.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077241-00g(CONTINUED)

REMARKS CONTINUED:

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** THE FOLLOWING ISSUES WERE DENTIFIED BY THE DRIED DURING ITS

** EXMRINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REPAIN **

** LAWRESCLUED IF NO BOJECTIONS RRE FILED. **

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLASSED SIGHT IN THE WHATTER OF THE CRAMPON DRATHAGE REER, 234 MONT, 343 (1980) (THE BERY LAKE CASE) THE MONTHMAN SLYPRENE COURT STATED: "IT SLEAR THEREFORE THAT LINGER MONTHMAN LAW BEFORE 1973, NO RPPROPRIATION RISHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A NURPHY RIGHT STATUTE."

UDLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PRIDD OF USE, THE SYSTEM WOULD MAVE TO RUM 22.1 MOURS PER DAY TO DELIVER THE CLAIMED VOLUME. MO IMPORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS FIGURE.

A BETTER UNDESSIANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BRISINS OR SUBBSSIES S. BELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN ASSERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN ASSERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTIFIE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CHA BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ROUTE OF ENTRY OF PRELITINARY CERCEE AND NOTICE OF AUAILABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE GUESTIONS ABOUT WATER COURT BY PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAM CONTACT IN WE MATER COURT BY CRILING 1-800-624-3270 (WITHIN MONTANA DHLY) OR 1-406-536-4364, DR 9Y WRITING TO P.O. BOX 879, BOZERNA MIS 5971-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER UPEREK INCLIDING PORCUPINE CREEK BASIM, 400.

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077242-00

IMPORTANT NOTICE

YOUR WATER RIGHT RG SHOUND ON THIS RESTRECT HAY HAVE CHANGES FROM YOUR WATER RIGHT RG LITTER ON PHE WILD. IN A RESTRECT OF AN EXPENDING BY THE DEPARTMENT OF HATIRER RESOURCES AND CONSERNATION (DREED DURING THE EXAMINATION PROCESS). THESE CHANGES ARE AUTHORIZED BY THE HONTON HATER COURT OR THE WATER RIGHT CLAIM EXAMINATION PROCESS.

OBJECTIONS NAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELITIHERY DECKEE AND MOTICE OF AMPLIABILITY."

UNELSS OBJECTED TO OR CRILED IN MOTION OF THE MOTIVANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAGAM ON THIS MOSTRACT. (SEE SECTION B5-2-23), MONTHAN CODE ARMOTHER)

OWNERS: USA COEFT OF INTERIOR BUREAU OF LAND MONTO PO BOX 36800 59107 PURPOSE (USE): STOCK SOURCE: SOURCE TYPE - GROUNDWATER PRIDRITY DRIE: JANUARY 11, 1962 TYPE OF MISTORICAL RIGHT: USE ELDW RRIE: 4.98 GPM THIS WATER RIGHT INCLUDES THE ANOUNT OF WATER CONSUMPTIVELY USED FOR SIDCK WATERING PURPOSES AT THE RATE OF 30 GRALDNS PER DAY PER ANIMAL UNIT. ANIMAL LATIS SHALL BE BASED ON REASUNBLE CARRYING DARROIT AND HISTORICAL USE OF THE AREA SERVICED BY # UCLUME: THIS WATER SOURCE. PERIOD DE USE: JANUARY OL TO DECEMBER 31 * POINT OF DIVERSION: LDI_BLK_GIR_SEC_SEC_TWP_RGE_COUNTY____ 01 SENVSE 16 BON 39E VALLEY * PLACE OF USE FOR STOCK: BCRES LOI BLK DIR SEC SEC IMP RGE COUNTY 001 SENWSE 18 3CH 39E VALLEY REMARKS: THE WATER RICHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RILUTT. THE USE OF THIS RICHT FOR SEUERAL PURPOSES DOES NOT INCRESS THE EXTENT OF THE WITER RICHT. ROTHER IT DECREES THE PROVINCE OF THE WITER RICHT. ROTHER IT DECREES THE

* M 07

RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPING CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077242-00g(CONTINUED)

PEMARKS CONTINUED:

W077241-00, W077242-00.

THE FOLLOWING ISSUES WERE INCHIFITED BY THE DINC DIRTING ITS

E CHMINATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REMAIN

I WARESQUED IF MO DBJECTIONS ARE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DUCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE COTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE PASIN. THE EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATER, VOLUMES, OF ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRISHS OR SUBBRISHS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INFORM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE OMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MUTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "INDITICE OF ENTRY OF PRELITINIARY DETRETERE AND NOTICE OF QUALIFIED LITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COMPT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CHARGIT THE WATER COURT BY CALLING 1-BOO-624-3270 (GITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P. G. BOX 879, BOZEMAN NT 5977-10479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077243-00

THEORY AND HOTICE

YOUR WATER RIGHT AS SHOWN OH THIS RESTREET MRY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED BR AMBENGED. AM ASTREYEK (2) HAS BEEN FAMED MEXT TO EACH ITEM CHANGE BY THE DEPARTMENT OF MYTERIA RESIDENCES MIND EDUSEMNITION CORRES DURING THE MYTERIA RESIDENCES ARE DEPARTMENTED FOR THE MONTHMY WATER SUPPRIER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHMARY DEFREE AND MOTICE OF AVAILABILITY." MINESS GBICTED TO OR CALLED IN ON MOTION OF THE MOTIMAN WATER COUNT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RICH WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE AMMOTATE).

OWNERS: USA COEPT OF THTERIOR BUREAU OF LAND MGMT)
PO BOX 36800 BILLINGS MT 59197 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK SOURCE TYPE: SURFACE WATER * PRIORITY_DATE: DECEMBER 31, 1946 TYPE OF HISTORICAL RIGHT: USE FLOW ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. UDLUME: .62 AF PERIOD DE_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS 01 HENEME 23 30N 39E VALLEY DAM RESERVOIR: QIB SEC SEC IMP RGE COUTLY O1 DISTREAM NEMENE 23 BON 39E URLIEY * PLACE OF_USE_EDR_SIDCK: __BCRES___LOI_VLK_QIR_SEC_SEC_IWP_RGE_COUNTY_ 14 90N 39E VALLEY 23 30N 39E VALLEY 001 002 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03-31/95 PRELIMINARY DECREE PAGE 3,442 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077249-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077243-00, W077244-00.

THE ONRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YO'N RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, DR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SUBVES OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AMPAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCLUMENT ENTITLED "MOTICE OF ENTY OF PRELITINIARY DECREE AND NOTICE OF RUATIONBLITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE MATER COURT BY CALLING 1-800-624-3270 (MITHIN MONTHIN CHLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 80ZEMAN MT 59771-0879.

PRELIMINARY DECREE PA MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK DASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE40DE-W-077244-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR MATER RIGHT AS CLATHED OR AMENDED. AN ASSERTER C.3 HAS BEEN PLACED HEXT TO BEN'T ITEM ITEM ITEM INTO CHANGED BY THE DEPARTMENT OF NOTUREN, RESOURCES AND CONSERVATION CONCE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE GUTHARIZED BY THE NOTHAN AMERICAL COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN ASSUMED.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGULABILITY." BULLESS OBJECTED TO DE CALLED IN ON HOTION OF THE MOTHANA MATER COURT IN THIS CLATICE WATER FIRST WILL APPEAR IN THE FINAL DECREE S SHOWN ON HIS SBSTRACT. (SEE SECTION 65-2-23), MONTANE CODE ANNOTATED.

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800

PO BOX 36800

BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK SOURCE TYPE: SURFACE WATER

* PRIDRITY DATE: DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

THIS ONSTREAM RESERVOIR
UDLUME: 4.38 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* BOINT OF DIVERSION OND NEGUS OF DIVERSION:

RESERVOIR:

OIR SEC_SEC_TWP_RGE_COUNTY

O1 SINSTREAM NENENE 23 30N 39E VALLEY

* PLACE_OF_USE_FOR_WILDLIFE:

BCRES____LDI_BLK__CIR_SEC_SEC_IMP_RGE_COUNTY_

001 SESESE 14 30N 39E VALLEY 002 MENERE 23 30N 39F UNITED

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*hUMBER*400*-W-077244-00*CCONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077243-00, W077244-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS * * X-MATNATION DF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * * UNRESOLVED IF NO DOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIRED RIGHT. IN THE MATTER OF THE DEPREMENT ORAINAGE RHEA, 23M MONT. 343 (1985) (THE BEAN LIKE CASE) THE MONTAMA SUPREME COURT STRICT 11 IS LEAR THEREFORE THAT UNDER MONTAMA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECRETION, FISH AND WILDLIFE, EXCEPT THROUGH A THURMY KIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH DIMER CLAIMS IN HE BASIN FOR EXAMPLE COMPARE PRIDETY DATES, FLOW RATES, UGLUMES, OR ACRES TREIGHTED. ALSO, YOUR WATER RIGHT MY BE SUBJECT TO WATER RIGHTS IN ADJUINING BESINS OR SUBBRISINS OF WELL AS BETTEN SUBJECT OF OTHER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DEFERE AND NOTICE OF RUPALISABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU HELD OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTANA DALY) OR 1-406-596-4364, OR BY WRITING TO P.D. BOX 879, 8022FARM HT 5971-10479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASTN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT & NUMBER & 400x - W-077245-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASSERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA MATER COURT OF THE WATER RIGHT CLAIM EXAMINATION ROLES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHINARY OFFICE AND NOTICE OF AVAILABILITY."
BINLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHMA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATE).

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE CUSED: WILDLIFE UNNAMED TRIBUTARY OF FOSS COULEE * SDURCE: * PRIDRITY DATE: AUGUST 31, 1969
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. UDLUBE: 4.38 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS 01 SESUNE 24 30N 39E UALLEY DAM RESERVOIR: OTR SEC SEC IMP RGE COUNTY O1 ONSTREAM SESWNE 24 30N 39E URLLEY

001 REMARKS

PLACE DE USE FOR WILDLIFE:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

24 3ON 39E URLLEY

BCRES LOT BLK OIR SEC SEC IMP BGE COUNTY

PRELITIMERY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077245-00x(CONTINUED)

REMARKS CONTINUED:

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1 Ŧ THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077245-00, W077246-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF MO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERREDRYN DRAINAGE RREA, 234 MONT. 393 (1980) CTHE BERN LAKE COSE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A HURPHY RIGHT STRITLE."

A BETTER UNDERSTANDING DF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. A.S.D, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AMAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTINT THE WATER COURT BY CRALING 1-BOO-624-326 (UJTHIN MONTHAM DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN MT 59771-70679.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT ENUMBER: 400x-W-077246-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MAUE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAISK (1) MAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMECD DURING THE EXPANDATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN MATER COUNTY OF THE MONTHAN MATER COUNTY OF THE MONTHAN MATER COUNTY OF THE MONTHAN ATTER CO SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RURILABILITY."

DEC	REE. THE	ELEMENTS OF TI	IS CLAIMED W	ATER RIGHT	WILL APP	WATER COURT IN TH BEAR IN THE FINAL IA CODE ANNOTATED.	DECREE
	DWMERS :	USA (DEPT OF) PO BOX 36800 BILLINGS	INTERIOR BURE		MGMTO		
	PURPOSE_	CUSE2: STOCK					
*	SOURCE :		TRIBUTARY OF TYPE: SURFAC		E		
ŧ	PRIDRITY	DATE: RUGUST TYPE OF	31, 1969 HISTORICAL R	IGHT: USE			
	ELDW_RAI	E: NO FLOW THIS DN	RATE HAS BEE STREAM RESERV		OR THIS	USE FROM	
	VOLUME:	-1	62 AF				
	PERIOD_O	E_USE: JAMUARY	O1 TO DECEMB	ER 31			
	POINI_OE	DIVERSION AND	MEGNS_DE_DIV	ERSION:			
		LDI_BLK_	QIR_SEC_SEC_	IMB_BGE_CO	MIY	DEBN5	
	01		SESUNE 24	30N 39E URI	LEY	DATI	
	RESERVOI	B •					
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	01 DNS	TREAM	SESUNE 24	30N 39E UR	LEY		
	PLOCE_DE	USE_EDR_SIDCK	•				
		BCRES	LDIBLK_	QIR_SEC	SECIME	RGE_CDUMIY	
	001			SWNE	24 301	99E VALLEY	
	REDERKS:						

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES MOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077246-00g(CONTINUED)

PERCENS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077245-00. W077246-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, E DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, UDULWES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIGHN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIXIMARY OCCRE AND NOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTITY OF PRELITHINARY DETRETE AND MOTICE OF ANATIABILITY." IF YOU NEED OBJECTION FORMS, OR MANE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT BY CRILING 1-BOO-624-3270 (WITHIN MOTINMA DRLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879. BOZEMAN HT 59771-0479.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTROCT OF MATER RIGHT CLATH

WRITERERIGHTENUMBERE400E-W-077247-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTREISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (OWNED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMPRINGING RULES AS ROOPTED BY THE MONTANA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AURILABILITY." UMLESS DBJECTED TO OR CALLED IN OH MOTION OF THE MOTHANA MATER COURT IN THE DECREE, THE ELEMINS OF THIS CLATED WHITER TIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MASTRACT. (SEE SECTION 85-2-23), MOTHANA CORD RANGIATED. OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 ATLI THES MT 59107 PURPOSE (USE): WILDLIFE SCHOOL SECTION COULEE SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DATE: AUGUST 02, 1963
TYPE OF WISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DOSTREAM RESERVOIR. UDLUME: .38 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: 01 NESENW 25 30N 39E VALLEY DAM RESERVOIR . _____QIB_SEC_SEC_IMP_RGE_COUNTY______ O1 DNSTREAM NESENW 25 30N 39E URLLEY * PLACE OF USE FOR WILDLIFE: BCRES LOT BLK QIR SEC SEC TWP RGE COUNTY 001 NESENW 25 30M 39E VALLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077247-00±(CONTINUED)

REPIPIRICS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 9077247-00, 9077248-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWGC DURING ITS **

** ENGMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN **

** LUMRESOLVED IF MO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS 10 THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1989) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED. "IT IS LEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

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* BETTER LINGERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BESIN- FOR EXAMPLE, COMPARED PRIORITY DATES, FLOW RATES, UNLIMES, OR RORES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BOSINS OR SUBBRISH OR WELL AS BEING SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REFUED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATIONRY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WAITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WAITER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WAITER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTAMA DMLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, BOZEMAN MI 5971-10879.

D2/31/95 PRELITINGAY DECREE PAGE 3,451 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN AD ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT ENUMBERS 400s - W-077248-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRICK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONNEC) DURING THE ECONFUNITION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE WATER RIGHT CLAIM EMPHRAIN RULES AS ROOPTED BY THE MONTHAN ASTRICT. SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGICABILITY." UML DEC RS

LESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTAWA WATER COURT IN THIS TREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SMOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTAMA CODE RYMOTATED.)
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGM1) PO BOX 368000
BILLINGS MT 59107
PURPOSE_(USE) = STOCK
SCHRCE: SCHOOL SECTION COULEE SOURCE TYPE: SURFACE WATER
PRIGRITY DRIE: RUGUST 02, 1963 TYPE OF HISTORICAL RIGHT: USE
ELDW 8815: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
<u> 1901 - </u>
PERIOD_DE_USE: JAMUARY 01 TO DECEMBER 31
POINT DE DIVERSION AND MEANS DE DIVERSION:
LOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTYMEBNS
O1 NESENW 25 30M 39E VALLEY DAM
RESERVOIR:
QIR_SEC_SEC_IMP_RGE_COUNTY
D1 DNSTREAM NESENW 25 30N 39E VALLEY
PLACE DE JSE EDR SIDCK:
BCRESLDI_BLKQIR_SEC_SEC_IMP_BGE_COUNTY
DO1 NESENW 25 JON 39E VALLEY
RE DORKS:
THE NATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCRESSE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CHEEK INCLUDING PORCUPINE CREEK MASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHT # LINBERT 400x - W-077248-00x (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRITE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 9077247-00. M077248-00.

THE DIRC EXMINISTION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACKES IRRIGATED. ASO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODIZE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTITLED "MOTICE OF ENTRY OF PRELITINARY DEFRE EARD NOTICE OF ANAILABILITY." IF YOU MEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE MATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DRAY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, BOZEMAN MT 54771-0474

PRELIMINARY LECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF MATER PICHT CLATH

WATERERIGHTENUMBERE400E-W-077249-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMERICO. AM ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (DANCE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMA WATER COURT OR THE WATER RIGHT CLAIR EXAMINATION RILES AS ADOPTED BY THE HONTAWA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT SECTIONS OF THE DESTRICT OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTAWA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85'2-23), MONTAWA CODE ANNOTATED.)

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PB 80X 35800 BILLINGS MT 59107 PURPOSE_(USE): WILDLIFE MARTIN COULEE SOURCE TYPE: SURFACE WATER * SOURCE: * PRIOPITY DOJE: DECEMBER 31: 1958 TYPE OF HISTORICAL RIGHT, USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS LISE FROM THIS DISTREAM RESERVOIR. UDL LIME: 9 38 SF PERIDD DE USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT OLK OTR SEC SEC TWP RGE COUNTY DIANS. 01 SWNERW 27 30N 39E UALLEY DAM RESERVCIR: CIR SEC SEC INP RGE COUNTY 01 DNSTREAM SWNEHW 27 30N 39E CALLEY * PLACE DE USE EDR WILDLIFE: ACRES LOT BLK OIR SEC SEC THE BUE COUNTY SWIENW 27 30H 39E URLLEY 003 REMORES .

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3.454

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER DEEK INCLUDING PORCUPINE CREEK BASTRACE BRASTE RISH CLATH ANSTRACE BRASTE RISHI CLATH

WATERERIGHTENMERE 400x-W-077249-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERIATE AND EXCURNISE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077249-00, W077250-00.

THE FOLLOWING ISSUES WERE INTERITY BY THE DNOT CURING ITS 2 EXAMPTIVATION OF THIS WATER RIGHT CLRIM. THESE ISSUES HAY REMAIN X LUMRESOLVED IF MO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS 10 THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE WATER OF THE CERREDON DEPIMORE AREA, 234 MONT. 343 (1989) (THE BEAN LAKE CASE) THE MONTHMA EDUCY STREED. "IT IS LIEPE THEREFORE THIS MAKE MONTHMA LAW BECTORE 1973, NO REPRESENTATION RIGHT WAS RECONSIZED FOR RECOGNIZON, FISH AND WINDLIFE EXCEPT THROUGH PHIRPHY RIGHT STRTUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRSIM. FOR EXAMPLE, COMPARE PRIDRITY LATES, FLOW RATES, UCLUMES, OR ACRES TRIGATED. ALSO, YOUR WATER RIGHT TAY BE SUBJECT TO WHITER RIGHT TAY BY BUSINED TO WHITER RIGHT TO USE SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHAT EXAMINATION RESULTS AND RELATED MATERIALS DAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT EMITTLED "MATTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIES OF RATING OF PRELIMINARY DEFOREZERAND MUTICE OF RUALIBBILITY." IF YOU MEED 08JECTION FORMS, OR MANE QUESTIONS ABOUT MATER COURT ROCCOMPAGES ON CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-600-624-3270 (WITHIM MONTHAM DALY) OR 1-406-586-4364, OR BY WPITING TO P.C. BOX 879, BOZERAND MT 5571-70-799.

03-31/95 PRELIMINARY DECREE PREL 3,455 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERS 4008-W-077250-00

TRPORTANT NOTTEE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY MAKE CHRIGES FROM YOUR WATER RIGHT AS CLAIMED OR MAKENDED. MAY REFER BY WAS BEEN PLACED MEXT TO EACH LIEM CHRINGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMMEND DURING THE EMANLAMINITION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RILES OF ACOPTED BY THE MONTANA WATER SUPREME COURT.

REJECTIONS MAY PE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DUCLMENT ENTITLED "HOTICE OF ENTRY OF PARLIATINARY DEFREE AND MOTICE OF ANALIABLY TY." MILESS DEALERS TO NO CALLED IN ON MOTION OF THE MOTIVATION AND EXCEPT THIS CLATED WHITE RIGHT WILL APPEAR IN THE FIRM. DECREE & SECURIM DET HIS CLATED WHITE RIGHT WILL APPEAR IN THE FIRM. DECREE & SECURIM DET HIS CLATED WHITE RIGHT WILL APPEAR IN THE FIRM. DECREE

DMMSRS: USA (DEPT OF INTERIOR BUREAU OF LRIGH MGMT)
PO BOX 36800
BILLINGS ST 59107 PURPOSE_(USE): STOCK MARTIN COULEE SOURCE TYPE: SURFACE WATER * SOLIRCE : * ZRIORITY DRIE: DECEMBER 31, 1958
TYPE OF HISTORICAL RIGHT: USE ELCW PATE NG FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR. UDLUME: SE SE PERIOD, DE USE: JANUARY DI TO DECEMBER 31 * POINT OF DIVERSION AND FERNS OF DIVERSION: LOT PLK OTR SEC SEC THE RGE COUNTY MEANS 01 SWNENW 27 30N 39E VALLEY CAM RESERUDIR: OIE SEC SEC INP RGE COUNTY. C* ONSTREAM SWMENW 27 30H 39E VALLEY # PLACE OF USE FOR STOCK .

GCRES LOT BLK QTR SEC SEC TWP RGE COUNTY SWNENW 27 30H 39E VALLEY

SEDSRKS:

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THE WATER RIGHTS LISTED FOLLGAING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT THORRESE THE EXTENT OF

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03/31/95 PAGE 3,456

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK MAIN ROOT

ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400E-W-0772SC-JOE(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W377249-00, W077250-CO.

THE CHRC EXAMINATION OF THIS CLAIM FOUND NO SIGNATIONAL FACTS, 2 DAIR, OR ISSUES TO REPORT TO THE WATER COURT.

A BETIER UNDERSTANDING DE YOUR C.AINSO MATER RIGHT CAN BE GETAINED BY COTPORING YOUR NIGHT WITH OTHER CLAIMS IN THE BOSIN. FOR EXAMPLE, COMPREP PRIORITY DATES, FLOW RATES, UDLUMES, C2 ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SIMJECT TO WATER SIGHTS IN ADJUSTAING BASING OF SUBBNISHS AS WELL AS BETHE SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FECENCE, WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS JUGATIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."

SEE CENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICEDED IN THE DOCUMEN'S ENTITLED "HOTICE OF ENTRY OF PRELIMINARY OFFICERE AND MOTICE OF ANAILABILITY." IF YOU NEED CAJECTION FORMS, IN "MAKE QUESTIONS ABOUT WATER COUPT PROCEDURES OR CHASTES TO YOUR RIGHT, YOU CAN CONTPOT THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTANA DMLY) OR 1-406-596-4364, CR BY WRITING TO P.O. BOX 875, BOZEN'N NT 55771-0279.

03/31/95 PRELIMINARY DECREE PAGE 3,457 MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-9-077251-00

IMPORTANT NOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBNICES FROM YOUR WATER RIGHT AS EARLY OF A MATER RIGHT AS EARLY OF A MATER AND A STERISK (1) HAS BEEN PLACED MENT TO EACH ITEM CHANNED BY THE DEPARTMENT OF HATURAL RESDURES AND CONSERVATION CONNET DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE HONTANG WATER COURT FAILE WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE HONTANG WATER SIDDER THE WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE HONTANG WATER CONNET WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE HONTANG WATER CONNET WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE HONTANG WATER CONNET WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE HONTANG WATER CONNET WATER CONNET WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE HONTANG WATER CONNET SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITAINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO DO CALLED IN ON NOTION OF THE MONTAIN WATER COURT IN THIS

15	SHOWN ON	THIS A	TS OF TH BSTRACT.	IS CLAIM (SEE S	ECTI	ATER ON 8:	RIGHT 5-2-23:	VILL 3, HO	APPEF ITANA	CODE	ANNOTAT	AL DECREE ED.)	
	DWNERS:			NTERIOR	BURE	AU 01	F LAND	HGHT)				
		BILLIN	36800 IGS		MT	!	59107						
	PURPOSE_1	CUSE):	WILDLIFE										
	SOURCE:		UKNAMED SOURCE T	TRIBUTAR TYPE: SU	Y OF RFAC	MODI E WA	NEY CO TER	ULEE					
I	PRIORITY	DBIE:	DECEMBER TYPE OF	21, 196 HISTORIC	6 AL R	IGHT	: USE						
	ELOW_RATI	E۱	NO FLOW THIS ONS	RATE HAS	BEE SERU	H DE	CREED	FOR TI	HIS US	SE FR	DM		
	ADTAGE:		.5	3B AF									
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*	POINT_OF	DIVERS	TON_8ND	MEBUS_DE	DIL	ERSI	DN:						
		1	OI_BLK_	OIR_SEC_	SEC_	IVP_	RGE_CO	NRIA"			MEBUS		
	01			NUNESU	59	30N	39E UA	LLEY			DAM		
	RESERVOI	B:											
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	001					H	WHESW	29	30N	39E	VALLEY		
	REMORKS.												

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3.458

PRELIMINARY DECREE PAGE WILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK WHITEWATER AND ADDRESS AND ADD

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-V-077251-00g(CONTINUED)

REMORES CONTINUED.

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077251-00, W077251-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DURC DURING ITS \$ 2. EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \$ 2. UNRESOLUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERROWSH DRAINAGE AREA, 234 MONT. 343 C198D (THE DERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLATMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLATMS IN THE BASIN- FOR EXAMPLE, CODPARE PRIORITY DATES, FLOW RATES, UNLUMES, OR ARRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS BELL AS BEING SUBJECT O THER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTIZE OF ENTITY OF PRELIMINARY OECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN HONTARM BHLY) OR 1-405-586-4364, OR BY WRITING TO P.O. BOX 679, BOZEMAN MT 5971-00493.

03/31/95 PAGE 3.459

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077252-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CLARGES FROM YOUR WATER RIGHT AS CLAIMED DR AMENDED. AN ASSTRACT MAY HAVE DESCRIPTION OF THE MORNER OF THE MORNER OF THE MORNER WATER RESULTED THE MORNER OF THE

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIBBILITY." UNLESS OBJECTED TO OR CALLED IN ON HOTZON OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23, MOTHANA CODE ANNOTATE). OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 MT 59107 PURPOSE CUSED: STOCK SQURCE : UNNAMED TRIBUTARY OF MODNEY COULEE SDURCE TYPE: SURFACE WATER * PRIORITY DATE: OECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. .62 AF **VOLUME:** PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS DAM 01 NWNESW 29 30N 39E URLLEY RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NWNESW 29 30N 39E URLLEY * PLACE_DE_USE_EDR_SIDCK: ___ACRES LOT BLK QTR SEC SEC TWP_RGE COUNTY 001 NUNESH 29 BON 39F UALLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3,460

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077252-OOx (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077251-00, W077252-00.

THE DATE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDILUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BRISHS DE SUBBASINS NEW BLL AS BEENE SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATKED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DEFREINTIED" INTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHERE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT SHUMBERS 400x-V-077253-00

THEORYGANT WOTTER

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EARLY ITEM CHANGED BY THE DEPARTMENT OF HATWARK RESOURCES AND CONSERVATION (ONC) DURING THE EXMINATION PROCESS. THISSE CHANGES ARE AUTHORIZED BY THE MORTHAN WATER COURT OF THE WATER RIGHT CLAIM EXMINATION RULES AS ROOPETED BY THE MORTHAN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

WHLESS GESCTED TO OR CALLED IN ON MOTION OF THE MOTIONAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED MATER RIGHT WILL APPEAR IN THE FIRML DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTHAIR CODE MANDITALE).

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF MOONEY COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE ELOW_ROIE : NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: 3.38 RF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY ____UEBUS_____ 01 NUSUNU 32 30N 39E UALLEY DAF RESERVOIR: QIR SEC SEC IMP RGE COUNTY D1 DNSTREAM NUSUNU 32 30N 39E VALLEY * PLACE OF USE FOR WILDLIFE: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 NWSWNW 32 30N 39E URLLEY

REDARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,462

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-V-077253-00g(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077253-00. W077254-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWGC DURING ITS

* EMPRINGION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN ISSUES WAY REMAIN INC.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REA, 234 MONT. 343 (1988) THE BERN LAKE CASE) THE MONTAINA SUPPREME COURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTAIN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLLIFE, EXCEPT THROUGH A PURPORY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OATES, FLOW RATES, UGLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS OR SUBFLIA AS BELL AS BEING SUBJECT TO THE RIGHTS OM YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE UNRO EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATIONARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILED "POINTIE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN COMTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879. BOZEMAN NT 59771-0879.

PRELIMINARY DECREE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077254-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERTISK (#) HAS BEEM PLACED NEXT TO EACH ITEM CHANNEED BY THE DEPARTMENT OF MATUREN, RESOURCES AME CONSECURITION (OWNED DURING THE EXMINATION PROCESS. THESE CHANGES AME AUTHORIZED BY THE MONTHM WATER COURT OR THE WATER RIGHT CLAIM EXMINIMATION RULES AS ADOPTED BY THE MONTHM ATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DEC

LESS DEJECTED TO OR CALLED IN ON MOTION OF THE MONTANA MATER COURT IN THIS DREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SMOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 81LINGS NT 59107
PURPOSE (USE): STOCK
SOURCE: UNMAMED TRIBUTARY OF MODNEY COLLEE SOURCE TYPE: SURFACE WATER
PRIDRITY DRIE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE
ELOW_RRIE: NO FLOW RATE MAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES MOT INCREASE THE EXPENT OF

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03/31/95 PRGE 3.464

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ARSTRACT OF MATER RIGHT CLAIM

MATERIXIGHT INLINEER # 400 x - W-077254-00 x C CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USSE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077253-00, W077254-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDESTRANDING OF YOUR CLAIMED WATER RIGHT CAM BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASSIN FOR EXAMPLE, COMPARED PRIDRITY DATES, FLOW RATES, UCLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BRISHS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBBASINS OR SUBLL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DE PRELITIVISTY DECREE ARMO MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BUTILLED "WOILE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF DOCUMENT ENTITLE TWO LIVED DESIGNATION FREE TITLES OF THE MENT OF THE MENT OF THE PROCESSION ABOUT WATER COURT PROCEDURES OF CHANGES IN YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-68-320 (WITHIN MONTHM ONLY) OR 1-406-586-384, OR BY WRITING IN P.O. BOX 879, BOZEMAN NT 59771-0879.

03/31/95

PRELININGRY DECRE PRELININGRY DECRE FILK RIVER SELDS WHITEWITER DEEKS MILIOING PURCLIPINE DREEK PRELININGS DECRETORS DESCRIPTION DREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077255-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR HYERDED. AN ASTERISK (2) MAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DIRECT DURING THE ENATURATION PROCESS. THESE CHANGES ARE RUMMATIZED BY THE NOTHING MATER COURT OR THE WATER RIGHT CLAIM EXMAINATION RULES AS ADDRESS OF THE NOTHING SUPPRING COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALISHILITY." BULLESS GOLECTED TO OR DALLED IN MOTION OF THE MOTIFME MATER COMPT. IN THIS DEC

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03/31/95 PRGE 3,466

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK MILK RIVER BELOW WHITEWHIER CREEK HILK RIVER BELOW WHITEWHIER C

RESTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400g-W-077255-00g(CONTINUED)

REMARKS CONTINUED:

RETARKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS # EXPAINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN # LWARESQUED IF NO BOLECTIONS ROW FILED.

THERE IS A QUESTION AS TO THE UNALIDITY OF THIS LIRIMED RIGHT. IN THE MATTER OF THE DERROOM DRAIMAGE AREA, 234 MONT. 343 (1988) (THE BEAM LAKE DASE) THE MINITARA SUPPRIME COUNT STATED! "IT IS LLEAN THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLATHED WATER RIGHT CAM BE OBTAINED BY COMPARING OVER RIGHT WITH OTHER CLATES IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS WELL AS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE OMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMERY DECREE AND MOTICE OF AVOILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WAITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLMENT ENTITLE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAIL RBILITY. IF YOU WEED 08JECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MCKINAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MIT 5877-10879.

PRELIMINARY DECISE PAGE 3,467 HILK RIVER SELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ASSTRACT OF WATER RIGHT CLAIM

WRITERERIGHT ENUMBERS 400x-W-077256-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTREACT MAY MAKE CHANGES FROM YOUR WATER RIGHT AS CLASHED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPORTMENT OF MAY MAN, RESOURCES AND CONSERVATION (OWED DURING THE EDWINGTION FOR STATES). FUR CHANGES ARE RUMMNIZED BY THE MOTHER WATER COURT OR THE WATER RIGHT CLASH EMPAINATION RULES AS ROOPTED BY THE MOTHER MAY SUPPENE COURT.

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03/31/95 PRGE 3.468

PRELIMINARY DECREE PAGE NILK RIVER BELOW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK SASIM 400 SASIM 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUNGERE400x-W-077256-00x(CONTINUED)

REMARKS CONTINUED:

RETIREKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MALTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PUMPOSES DOES NOT IMPERASE THE EXTENT OF THE WATER RIGHT. ANTHER LT DECREES THE RIGHT TO RITEMATE AND EXCHANGE THE LISE (PUMPOSE) OF THE WATER IN RICHRO WITH HISTORICAL PRACTICES.

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \$ 00TA OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RICHT CAM DE OBTAINED BY COMPARING POUR RICHT MIN OTHER LIGHTS IN THE MASKN. FOR EXAMPLE, COMPARE PRIDETY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RICHT HAY DE SUBJECT TO MATER RICHTS IN ADJOINING BASINS OR SUBMISSINGN BY WELL AS BETTER SUBJECT TO OTHER RICHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RICHT HAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RICHTS HAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RICHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DW PRELITIVARY DECREE ARM MOTICE OF RANALINGRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OROCIMENT ENTITLED "FOUTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PY CALLING 1-BOO-624-3270 (VITHIN NONTHMA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, 802EMBN NT 5877-70879.

PRELIMINARY CECKES THIS RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSTN 400 BRSTPORT OF ME'FR PIGHT CLAIM

WELLERSKICHISHTERERSAUGS-A-041522-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAISK (R) HAS BEEN FLACED NEW! TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATUMAY, RESOURCES AND CONSECURITY OWNERS OWNERS FROM CHANGE OWNERS OWNERS AND THE MONTHM WHERE RESOURTED BY THE MONTHM WHERE AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MONTHM WHEN AS MODIFIED BY THE MODIF SUPPRENE COURT.

OBJECTIONS MAY BE FILED ACCORDING 13 THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "HOTIZE OF ENTRY OF PRELIMINARY DECASE AND MOTIZE OF SAUSI, CHEELTY." UNLESS GUALCIED 13 OR CHILED IN ON MOTION OF THE KNITHAM WHITE CURRI IN THE PLANT OF THIS CLUMED WHITER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS DESTRAIL. (SEY SECTION BS-2-233, CONTINUE CORE PRINCIPLES.) DWNERS: USA (DEPT OF ENTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF MARTIN COLLEE SOURCE TYPE: SURFACE WATER * SOMRCE: PRIDRITY DATE: AUGUS: 03, 1963
TYPE OF HISTORICAL RIGHT: USE **ELDM RATE:** HO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVATE. UDLIME: 1.38 AF PERTOD OF USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MERNS OF DIVERSION: LOT BLX OTE SEC JEC TWP RGE COUNTY MERRIS 01 SESESW 35 30N 39E VALLEY Dan RESERVOIR: OTR SEC SEC TWP RGE COUNTY SESESE 35 30N 39E VALLEY C1 DNSTREAM * PLACE OF USE FOR WILDLIFE: ACKES LOT BLK GIR SCC SEC IMP RSE COUNTY 001 SESESW 35 30N 35E UALLEY

EEDORKS:

THE WATER PIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPISES DOES NOT INCREASE OF EXTENT OF

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03/31/95 PRGE 3.470

PRELIMINARY DECREE HILK RIVER BLLOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTEMUMBER44003-W-077257-003(CONTINUED)

REMARKS CONTINUED:

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. 1 . * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RAIT/PHATE RAID EXCHANGE THE USE CRURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77257-OO, WO77258-OO.

THE FOLLOWING ISSUES WERE IGENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN IMPRESOLUED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION OS TO THE URLICITY OF THIS CLRITED RIGHT. IN THE MATTER OF THE DERBORN TRAINAGE REGAL 239 HONT. 343 (1980) THE BERN LAKE CASE) THE MONTANA SUPREME COURT STREED. "IT IS CLERE THEREFORE THAT UNDER MONTANA LAB BEFORE 1373, NA APPROPRIATION RIGHT WAS RECOGNIZED FOR RECHEATION, FISH AND WILDLIFE, EXCEPT HAROGOR P. MURPHY RIGHT STROTTE."

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A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT COM DE OBTAINED BY COMPARIME YOURR RIGHT WITH OTHER CLRIMS IN THE BASEN FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR GRES IRRIGHTED. ALSO, YOUR WATER RIGHT MY BE SUBJECT TO WATER RIGHTS IN ADJUNING BASINS OR SUBBRISHE HE WELL AS BEENT SUBJECT TO THOSE RIGHTS ON YOUR SQUREE OF SUPPLY. FIMALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIEN RESERVED AND FEDERAR RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND ARCATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOU'R CHAIRED WATER RIGHT. THESE FINDINGS CAN BE FRUNC AS INDICATED IN THE DOCUMENT FRITTING PRELITINARY CERCEE AND NOTICE OF RUBLIBBLITY." IF YOU NEED OBJECTION FORMS, OF HAVE QUESTIONS ABOUT WATER COURT PROJECURES OR CHANCES TO YOUR RIGHT, YUU CAN CONTACT THE WATER COURT BY CALLING 1-500-24-3570 (UTITAL MONTANE DALY) OR 1-406-364-364, OR BY WRITING TO P.D. BOX 879. BUZEMAN MT 59771-0679.

PRELIMINARY DECREE PROBE 3,471 MILK RIVER VELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 3,471 BRSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077258-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLINED OR MIENDED. "AY ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MAINTAIN, RESOURCES ANY CONSERVATION CONKED VIXING THE EMMAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAIN WATER COURT OF MIT, WHERE RIGHT CLINET OF VINE MONTAIN AND THE MONTAIN WATER ROTH CHANGE ARE AUTHORIZED BY THE MONTAIN WATER COURT OF MIT, WHERE RIGHT CLINET OF THE MONTAIN SUPREME COUK!.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT

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	BI	LLINGS	TM	5910?		
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¥	SOURCE:	UNNAMED T SOURCE TY	RIBUTARY OF PE: SURFACE		ILEE	
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03/31/95

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

VATERERIGHTENUMBERE 4005-V-077258-00ECCONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE RHD EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77257-OO, WO77259-OO.

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x conta, or issues to Report to the water court.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, BULLYES, OR ACRES IRRIBATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUNTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALABILITY." IF YOU NEED DESECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES DE CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1800-624-327 OLITHIN MONTHAIN ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIAGOII-W-077259-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCO. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED MONITCE DE ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. NO ELEMENTS OF THIS CLUMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE

RS	SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)												
*	OWNERS: URLLEY, COUNTY OF PO BOX 311 SQ SOI COURT SQ GLASGOW MT 59230												
	PURPOSE_CUSE2: WILDLIFE												
*	SOURCE: SPRING COULEE SOURCE TYPE: SURFACE WATER												
	PRIDRITY_D8IE: NOUEMBER 29, 1935 TYPE OF HISTORICAL RIGHT: USE												
	ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.												
	VOLUME: 1.16 AF												
	PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31												
1	POINT OF DIVERSION AND MEANS OF DIVERSION:												
	LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS												
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	RESERVOIR:												
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	REDBRKS:												
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCRESE THE EXTENT OF												

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03/31/95

PRELIMINARY DECREE PAGE 3,474 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTENUMBERE4005-W-077259-001(CONTINUED)

REMARKS CONTINUED:

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× * * * 1 THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077259-00, W077260-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

THE FALLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESQUED IF NO OBJECTIONS ARE FILED. ¥

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORD DRAINAGE AREA, 234 MONT. 343 (1988) CTHE BERN LAKE CASE) THE MONIGHIA SUPERPHE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW SEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DUTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UNLUKES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJININING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DIFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF VEUE CLATHED WATER SIGHT. THESE FINDINGS CAN BE FOUND AS INDICE EACH THE DOCUMENT ENTITLE "HOTICE OF ENTRY DE PRELITIANX DECREE AND NOTICE OF ANALYSIS AND ANALYSIS AND ANALYSIS AND ANALYSIS AND ANALYSIS AND ANALYSIS AND ANALYSIS ANALYSIS AND ANALYSIS ANAL P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERXRIGHTXNUMBERX400x-W-077260-00

THOUSTENT NUTTUE

YOUR WATER RIGHT OS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSTRAISK (2) HAS BEEN PLACED MAXT TO ENGLISH CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION CONCE) DURING THE EMAILMAND PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMAILMANDAY BY MILES AS ADDITED BY THE MONTANA WATER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGUSTITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAN BATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPERE IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MOTIFIAN CODE ANNOTATE).

* DWMERS: VALLEY, COUNTY OF PO BOX 311 SO1 COURT SO

MT 59230

BL ASBOW PURPOSE_CUSED: STOCK

50URCE:

SPRING COULEE SOURCE TYPE: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER FROM A DEVELOPED SPRING IN THE SESUME SEC O4 TWP 30N RGE 4DE UALLEY COUNTY.

PRIORITY_DATE: NOVEMBER 29, 1935
TYPE OF MISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDW_RAIE:

THIS ONSTREAM RESERVOIR.

* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. AMITHAL UNITS HALL BE BASED ON RERSONGHEE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

2 POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK DTR SEC SEC TWP RGE COUNTY MEANS SESWNE 04 30N 40E URLLEY DAM

RESERVOIR:

01

____OTR_SEC_SEC_TWP_RGE_COUNTY_____

01 ONSTREAM

SESWNE O4 30N 40E UALLEY

* PLBCE_OF_USE_EDB_SIDCK :

- BCRES LOI BLK OIR SEC SEC IMP RGE COUNTY

001

04 30N 40E UALLEY

03-31/95 PRELIMINARY DECREE PAGE 3,476 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 89SIM 400 BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-V-077260-00*(CONTINUED)

REMORKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERA, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. NATHER IT DECREES THE RIGHT TO RITEMENT END EXCHANGE THE USE CHURPOSE) OF THE WATER IN ACCURD WITH HISTORICE. PRACTICES.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

THE CHRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLATMED WATER RIGHT CAM BE OBTAINED BY COMPARING OWNER TEAM WITH OTHER CLATMS IN THE BESTM. FOR EXAMPLE, COMPARE PRIDGITY DATES, FLOW RATES, UQUUMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISTS OR SUBBASINS AS VELL AS BETTM SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDILS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTITLE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 679, BOZEMAN MT 59771-0075.

03/31/95

PRELIMINARY DECREE PRICE 3,477 MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077261-00

TRPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HOW DUBBEES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND COMERVATION (OWNED DURING THE EMPIRITURE PRODUCESS. THESE CHANGES ARE RUTHMIZED BY THE MOTHAN WATER COURT OR THE WATER RIGHT CLAIM EXPRIMATION RULES AS ADOPTED BY THE MOTHANG WATER SUPPLIES COURT OF THE WATER RIGHT CLAIM EXPRIMATION RULES AS ADOPTED BY THE MOTHANG

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIMARA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MASTRACT. (SEE SECTION 85-2-23), MONTAMA CODE ARMOTRATE.

USA CDEPT OF INTERIOR BUREAU OF LAND HIGHT) PD BOX 36800 OWNERS: BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNMAMED TRIBUTARY OF SPRING COULEE SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY_DRIE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RAIE: 4.38 AF UDLUME: PERIOD DE USE: JANUARY OL TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOI BLK GIR SEC SEC IMP RGE COUNTY TEAMS NENESH D9 30N 40F URLLEY DAM 01 RESERVOIR: GIR SEC SEC IMP RGE COUNTY O1 DHSTREAM NENESH OF BON 40E URLLEY * PLACE_DE_USE_EDR_WILDLIFE: BCRES LOI BLK DIR SEC SEC IMP RGE COUNTY SWSWNE 30N 40E URLLEY 001 SESENW 30N 30N 40E URLLEY 005 003 NENESU 09 REDBEKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULLIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3,478

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK MICK RIVER BELOW WHITEWHIER CREEK MILK RIVER BELOW MAINTENANT CREEK MILK RIVER BELOW MAINTENANT CREEK MILK RIVER BELOW MAINTENANT CREEK MILK RIVER BELOW MAINTENANT CREEK MILK RIVER BELOW MAINTENANT CREEK MILK RIVER BELOW MAINTENANT CREEK MILK RIVER MI

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077261-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICES, PROCTICES.
W077261-00. W077262-00.

THE FOLLOWING ISSES WERE IDENTIFIED BY THE DWG DURING ITS 2 ECONTRATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2 LUMESCULED IF NO ROLECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERREDON DRAINAGE RIGHZ, 294 NOTE. 3980) (THE BERN LAKE CHSE) THE PROHITMEN SUMPRIME COURT STATED: "IT IS CLEAR THEREFORE THAT UNCOR NOT

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING OWN RIGHT WITH OTHER CLAIMS IN THE BESUN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDULTES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRISIS OR SUBBRISING AND WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHT ANY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF RAVALLABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER REGAT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF BEHIX OF PRELIGINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU ONE CONTROTT THE WHERE COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03-31/95 PRELIMINARY DECREE PROE 3,479 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PROE 3,479 BOSIN GOOD ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077262-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLARING TO MEMBED. AM ASTRISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURINAL RESOURCES AND CONSEQUATION COMECO DURING THE EMPRINATION PROCESS. THESE CHANGES RIKE MUTHARIZED BY THE MONTANNA MATER COUNT OF THE WATER RIGHT CLARE REMEMBRIDED RILES AS MOOPTED BY THE MONTANNA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENT UML DEC RS

TITLED "MUTLLE OF ENTRY OF PRELITINARY DECREE AND NO ESS DBJECTED TO DR CALLED IN ON MOTION OF THE MONTA REE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL SHOWN OM THIS ABSTRACT. (SEE SECTION 85-2-233, NON	MA WATER COURT IN THIS APPEAR IN THE FINAL DECREE
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT)	ı
BILLINGS NT 59107	
PURPTSE_CUSE2: STOCK	
SDURCE: UNMAMED TRIBUTARY OF SPRING COULEE SOURCE TYPE: SURFACE WATER	
PRIDRITY DRIE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE	
ELDW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THE THIS OMSTREAM RESERVOIR.	IS USE FROM
VOLUME: . 62 AF	
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BEDORKS:	
THE WATER RIGHTS LISTED FOLLOWING THIS STATE!	TENT ARE

FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03-31/95 PRELIMINARY DECREE PAGE 3,480 HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400

RESTRACT OF WATER RIGHT CLAIR

WATERERIGHTENUMBERE400x-W-077262-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT 10 HILTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. W077261-00, W077262-00.

* THE DWRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT UITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACKES TRETABATO. ALSO, YOUR WATER RIGHTS IN ADJOINING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO UNTER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMITARRY DECREE AND MOTICE OF AUGILIALITY."

SEE GENERAL FINDINGS OF FRCT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIES OF RETHIN OF PRELITINDARY DECREE AND NOTICE OF AMAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CRALING 1-800-624-3270 CMITHIN MONTHMA DRIV) OR 1-406-586-4364, OR BY WRITING TO P.D. 80x 879, 80ZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWRITE CREEK INCLUDING PORCUPINE CREEK MORE AND ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY ADDRESS OF THE

ARSTRACT OF MATER RICHT CLAIM

WATERERIGHTENUMBERE400E-W-077263-00

IMPORTANT MOTTER

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRETISK (2) HAS BEEN PLACED MEXT TO EACH LITH CHANGED BY THE CEPHRITHENT OF MATUREN, RESOURCES AND CONSEQUATION (OWNER) DURING THE EXPOUNDING PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MODITION WATER COUNT OF THE MATER RIGHT CLAIM EXPONENTIANT RULES AS ROOPTED BY THE MODITION OF SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SHARE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3,482

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK MOSTN 400.

ABSTRACT OF WATER RIGHT CLAIM

MATERIXATION TIMESER #400x-W-077263-00x(CDMTTNEED)

REMARKS CONTINUED

:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRITE RIND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. 8077263-00, 8077264-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWIST OURTING ITS

E CONTINUITON OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REPAIN

UNWESDLUED IF NO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEAPBOOKH DRAINAGE ROSE, 239 ANDT. 3-93 (1998) (THE BERM LAKE CASE) THE MONTANNA SUPERIE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDOES MONTHONA UNB BEFORE 1973, NO APPORPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLITE, EXCEPT THROUGH A HIGHY RIGHT STRUTE."

A BETTER UNDERSTRUDING DE YOUR CLAITED MATER RIGHT COM DE DITAIRED BY COMPARING VOUR RIGHT WITH OTHER CLAITS IN THE BOSIN FOR EXAMPLE, COMPARE PETURITY DATES, FLOM RATES, UGLUMES, OR ACRES TRRIGATED. ALSO, YOUR MATER RIGHT MAY DE SUBJECT TO WATER RIGHTS IN ADJINITING BOSING OR SUBDENING AS WELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY FERENCE WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WHOTICE OF ENTRY OF PRELITIONARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DETRET AN ONLICE OF WASIABILITY." IF YOU MEED OBJECTION FORMS, OR MANGE QUESTIONS ABOUT WATER COURT BY CREATER OF CHARGES OR CHANGES TO YOUR RIGHT, YOU ONE CONTRO! THE WATER COURT BY CRELING 1-BOO-624-3270 (WITHIN MONTAMA DALY!) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZERAN MT 54772-0879.

PRELITATION DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ARSTRACT OF MATER RIGHT CLAIM

WATERERIGHT ENUMBER # 400x - W-077264-00

THORPTONT WITTE'S

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHOSES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERISK (2) HAS BEEN PAGED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CHOSENATION CHANCE OWARD THE EXAMINATION PROCESS. THESE CHANGES FEE AUTHORIZED BY THE MONTRAMA WATER COURT OR TIME WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTRAMA SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT DOSCITIONS AND REFILED THE PRELIMINARY DECREE AND MOTICE OF ANALT ABILTY."

UNLESS OBJECTED TO DE CALLED IN ON NOTION OF THE MONTANA WATER COURT IN THIS

DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT MILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. USEE SECTION 85-2-233, MONTANA CODE ANNOTINED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO BOX 36800 BTI I THES HT 59107 PURPOSE (USE): STOCK * SOURCE: CHERRY CREEK, EAST FORK SOURCE TYPE: SUPERCE WATER * PRIDRITY_DBIE: DECEMBER 31, 1962 TYPE OF HISTORICAL RIGHT: USE ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDILLINE: SZ RF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DEVERSION AND MEANS OF DIVERSION: LOI BLK OIR SEC SEC TUP ROE COUNTY NEANS Ωt SWSWSW 14 30H 4DE URLLEY DAM RESERVOIR: GIR SEC SEC 199 RGE COUNTY D1 DMSTREAM SMSWSW 14 3XM WOE UALLEY * PLACE OF USE FOR STOCK! ACRES LOT GLA OTR SEC SEC INC RGE COUNTY SHMWSW ODIT 14 30N 4DE URLLEY WESWSW 14 30N 40E URLLEY 200

REMARKS:

THE VATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SOULARS, PURPOSES DOES NOT INCREASE THE EXIST OF

03/31/95 PRGE 3,484

PRELIMINARY DECREE MILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

MATERIRICAL ENGINEERS (DOX-W-077264-DOX (CONTINUED)

RETIRKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT (D. RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORS SITH HISTORICAL PRACTICES. W077263-00. W077264-00.

THE DWGC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTRYDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIHER CLATMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, URLINES, OR ACRES DYSEASON, ON A HEAD, YOUR WATER RIGHTS IN ADJUNTING BASING OR SUBBASING AS WELL AS BETNG SCALECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FURNLY, YOUR STER RIGHT MAY ST. SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS RESERVING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWS OF THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMENTY DELIRE AND MOTICE OF ANALIPSILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR SURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS ON BE FOUND AS INDICATED IN THE SOCUMENT ENTITLE OF ENTITY OF PRELITHARY DEFRE AND NOISE OF ANALIABLILITY.— IF YOU NEED GENERATION FORES, OR HAVE GUESTIONS ABOUT SATER COURT PYCECAURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-524-32-30 (WINTH MONTHAM JULY) OR 1-406-586-4364, OR SY WRITING TO P.D. BOX 879, BOZEMAN NT 5977-30879.

03/31/9S PRSE 3.485

PPELININARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CHEEK.

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077265-00

IMPORTANT NGTICE

YOUR WATER RIGHT AS SHOWN ON THIS AGSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLIDING OR AMENDED. ON ASSERTISK (2) HAS BEEN PLATED MOXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREM, RESOURCES AND CONSERVATION CONNECT DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAWA WATER COURT OF THE WATER RIGHT CLIDIN EXAMINATION RULES AS ADOPTED BY THE "ETHTAWA COURT OF THE WATER RIGHT CLIDIN EXAMINATION RULES AS ADOPTED BY THE "ETHTAWA" SUPREME COURT.

CAJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITY ED HOUTIE OF ENTRY OF PRELIGIARRY DECREE AND MOTICE OF ANALIABILITY."
14/25 GBLECTED TO BY CALLED TO MOTHON OF THE MOTHAW MATER COURT IN THIS DECREE, THE ELEMITS OF THIS CLAIMED WATER RIBHT WILL APPEAR IN THE FINAL DECREE AS SHOWN OUT THIS RESTRACT. (SEE SECTION 85-2-233, MOTHANN CODE ARMOTATED.)

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO COX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE SDURCE: UNNAMED TRIBUTARY OF FOSS COULEE SOURCE TYPE: SURFACE WATER * ERIGRITY GATE: DECEMBER 31, 1938
1YPE OF HISTORICAL RIGHT: USE ELOW_ROTE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UOLUME:** 3.38 AF PERTOD OF USE: JANUARY O1 TO DECEMBER 31 * EDINI DE DIVERSION AND MESNS DE DIVERSION: OI BLK OIR SEC SEC IMP RGE COUNTY MEANS. 01 NESESW 19 30H 40E URLLE" DAH RESERVATE: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NESESW 19 30N 4DE URLLEY * PLACE OF USE FOR WILDLIFE ! GCRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 NESESW 19 30H 40E URLLEY

REMPR'S:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMEN; ARC MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RICHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3.486

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CHEEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077265-00g(CONTINUED)

REMARKS CONTINUED:

ŧ

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLIERWATE AND EXCHAGE THE USE (PURPOSE) OF THE WATER IN ADJUGO WITH HISTORICAL PRACTICES. NO 77266-00.

** THE FOLDWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS

** EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN **

** UMRESOLUTE IF MO DEJECTIONS ARE FILED. **

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DAGINGE REER, 234 THUT. 343 (1980) (THE BERN LAKE CASE) HE MONTANA SLEEKEL COURT STATED: "IT IS CLEAR THESEFORE THAT UNDER MIGHTAN LAN BEFORE 1973, NO APPROREASION RIGHT WAS RECUSTATED FOR RECREATION, TISH AND UTLOLIFE, EXCEPT THROUGH A MILETHY RIGHT STATUTE."

A BETTER INDESTRIBUTING OF YOUR CLAIMED WATER RIGHT CAN BE DBIAINED BY COMPARING YOUR "SIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNLIMES, OR ACPES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO OTHER PICHTS ON YOUR SJURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FETERR RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FETERR RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFILE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CANCLUSIONS OF LAW FOR PURTHER EXPLANATION OF YOUR CLRIBED WATER RIGHT. THESE FINDINGS CAR BE FOUND AS INDICATED IN THE DECUMENT ENTILED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF RUMBINGBLITY". IT YOU WEST DESIDENCE AND CONTINCT THE WATER COURT BY CALLING 1800-624-3270 (WITHIN 1800-444) MILLY) OR 1-406-586-454, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 54771-9879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT & NUMBER & 400 & - W-077266-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AH ASTRISK (X) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION CONEY) DUXING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WHIER DUXING THE WATER RIGHT CLAIM EXAMINATION RULES AS ROUPTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

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REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME PIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

PRELITINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT IN MEER 1400 - W-077266-00 COUNTINUED

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077265-00, W077265-00

THE DARC EXAMINATION OF THIS CLAIN FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, JOLUMENS, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY."

SEE GEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY OEREE AND NOTICE OF AUAIL ABILITY." IF YOU NEED 03JECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHM ONLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 679, 80ZEMAN MT 5977-10479.

PRELIMINARY DECREE

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLATM

WATER*RIGHT*HUMBER*400*-W-077267-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOMGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRACTS (X) HAS BEEN PLACED NEXT TO EACH ITEM CHAMBED BY THE DEPARTMENT OF MATURAL RESURCES AND CONSERVATION COMECO DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RILES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTABLITY." UNLESS OBJECTED TO OR CHLLED IN ON NOTION OF THE NOTITAIN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. USEE SECTION 85-2-233, MONTHAN CODE ANNOTATES.

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS:

BILLINGS

59107

PURPOSE (USE): STOCK

SPRING, TRIB OF FOSS COULEE SOURCE TYPE: GROUNDWATER * SOURCE:

* PRIORITY DATE: DECEMBER 31, 1962 TYPE OF HISTORICAL RIGHT: USE

ELDW_RATE:

UGLUME:

1.97 GPM

THIS WATER SOURCE.

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 SALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY

PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC TWP RGE COUNTY

MEANS

DEUELOPED SPRING

nτ NESESW 19 30N 40E UALLEY

* PLACE OF USE_FOR_SIDCK:

BCRES LOT BLK OIR SEC SEC TWP RGE COUNTY

001 NESESW 19 30N 40E VALLEY

REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUREM, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESS THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICH, PRROTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077267-00s(CONTINUED)

REMARKS CONTINUED:

W077267-00, W077268-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESGLUED IF NO BAJECTIONS RRE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

P. BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING P. BETTER UNDERSTANDING OF YOUR CLRINED WHTER RIGHT CAM BE OBTAINED BY COMPAKING VOUR RICH WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OHTES, FLOW RATES, UCUMES, OR ACRES IRRIGATED. ALSO, YOUR WHER RIGHT MAY BE SUBJECT TO WHTER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MUTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUGILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLEO "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RUBIL BBILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROBLEMENTS OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN HONTINH ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEARM HT 5977-7079.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUNSERE4002-W-077268-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAYS BEEN PLACED NEXT TO EACH LIEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES ARM CONSCRATION CONNEC DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WHER COUNTY OR THE WATER RIGHT CLAIM EMMINISTED RULES AS ADDOTTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUALLABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTHAM MATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE RS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTANA CODE RANGUATED.)

59107

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT)

PO BOX 36800 RTIL THES

PURPOSE (USE): WILDLIFE

SPRING, TRIB OF FOSS COULEE SOURCE TYPE: GROUNDWATER * SDURCE:

E PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

VOLUME:

1.97 GPM 2.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TYP RGE COUNTY _MEANS

01 NESESW 19 30H 40E URLLEY

DEUFLOPED SPRING

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK DIR SEC SEC TYP RGE COUNTY

001 NESESW 19 30N 40E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME KIDHT. THE USE OF THE RIGHT FOR SEURRAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DEEMEST THE RIGHT TO THE WATER RIGHT. RATHER THE DEEMEST THE RIGHT TO THE WATER THE MECURD WITH HISTORICHE PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERTIGHTENUMBER: 4002-W-077258-002 (CONTINUED)

REMARKS CONTINUES.

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWARD DURING ITS EXHIBITION OF THE WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LUMPESSULED IF M BUJECTIONS ARE FILED.

> THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS IN THE WATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT IMPORTANT LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMS WATER RIGHT CAME DE DETAINED BY COMPARING ON YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOM MATER LUTHES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN JOURNING BESINS OR SUBBRISINS OR WELL AS BETTM SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED MATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERGH FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER TOHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF MAIL ABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES IN YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-564-3270 (WITHIN MONTAND DULY) OR I -06-564-364, DR BY WRITING ID P.D. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PAGE 3.493

PRELINDWARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHT SNUMBERS 400x - W-077269-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ROSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRETSK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANNES BY THE COPARTENT OF MATURAL RESOURCES AND CONSERVATION CONNEC) DULING THE ECHANISTICAL PROCESS THE CHANGE PROTECTION OF METERS ARE AUTHORIZED BY THE MONTHMA WATER CHANGE WATER RIGHT CLAIM EXPENDIATION RULES AS ROOPTED BY THE MONTHMA WATER AS THE SIPPER CHET

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY."
UNLESS OBJECTED TO DO CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. USEE SECTION 85-2-233, MONTHAIN COLD ANNOTATES.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO BOX 36800

BILL INGS 59107

PURPOSE (USE): STOCK

FLOW RATE:

* SOURCE: SPRING, TRIB OF HAWK COULEE SOURCE TYPE: GROWNOWATER

* PRIDRITY_DATE: DECEMBER 31, 1962

TYPE OF HISTORICAL RIGHT: USE

1.47 (204)

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALDMS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BRSED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY z UGLUME:

THIS WATER SOURCE.

PERTOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK OIR SEC SEC IMP RGE COUNTY DEANS

OΙ NWSWSW 22 30N 40E UALLEY DEVELOPED SPRING

* PLACE OF USE FOR STOCK:

BCRES LDI BLK QIR SEC SEC TWP RGE COUNTY

001 NUSUSU 22 30N 40E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

MRTERERIGHTENUMBERE400x-W-077269-00x(CONTINUED)

REPORTERS CONTINUED:

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. I W077269-00, W077270-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LIMPRESOLUED IF MG DEJECTIONS ARE FILED.

THE PRIDRITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRSIM. FOR EXAMPLE, COMPARE PRIORITY OATES, FLOW ARIES, UDLUMES, OR ACKES TREIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRSIMS OR SUBBRISHS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANALIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUNG CLAMED WATER LIGHT THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT CHILILED "MOTICE OF ENTRY OF PRELIMINARY DETRE AND NOTICE OF FUNDINGS TO YOUNG DESIGN ABOUT WATER COURT PRODECURES OR CHANGES TO YOUR RIGHT, YOU CAM CONTACT THE WATER COURT BY CALLING 1-BOD-624-3270 (WITHIN MOMIPHS DULY) OR 1-406-586-4364, DR BY WRITING TO P. D. BOX 879. BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

DESTROCT OF MATER RIGHT CLATH

WATERERIGHTENUMBERE400x-W-077270-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESURCES AND CONSEQUATION COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRIVED BY THE MONTAMA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIONARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHAMM WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATTED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SANDAM ON THIS RESTRACT. SEE SECTION BEST-2-239, MONTHMA COOR EMPOTATES.

OMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT)
PO BOX 36800

BILLINGS

59107

PURPOSE_(USE): WILDLIFE

SPRING, TRIB OF HAWK COULEE SOURCE TYPE: GROUNDWATER : SOURCE:

* PRIORITY DATE: DECEMBER 31, 1962 TYPE OF MISTORICAL RIGHT: USE

FLOW RATE:

1.97 GPM

VOLUME:

2.58 AF

PERIOD OF USE: JANUARY DI TO DECEMBER 31

* POINT_DE_DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

Ωt NWSWSW 22 30N 40E URLLEY DEVELOPED SPRING

* PLACE DE USE FOR WILDLIFE:

BCRES LOT BLK DIR SEC SEC TWP RGE COUNTY

001 NWSWSW 22 30x 40E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURAN, PUMPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER II DECRESS THE RIGHT TO HITERHALE HAD EXCHANGE THE USE (PUMPOSE) OF THE WATER IN ACCORD, WITH HISTORICAL PRACTICES. W077269-00, W077270-00.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK MASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077270-00x(CONTINUED)

PENNERS CONTINUED.

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWARD DURING ITS

E ROMETMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LIMMESDLUED IF NO OBJECTIONS ARE FILED.

THE PRIDRITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBOOM DRINGE REA, 234 MONT, 343 (1988) (THE BERN LAKE CASE) THE THAT UNDER TOURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTHMA LAW BEFORE 1973, NO MAPPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A HURDY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BOSIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ACRES TREIGATED. ALSO, YOUR WATER RIGHT TAYN BE SUBJECT TO WATER RIGHTS IN ADJUINING BOSINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVOILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENLITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED DBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-B24-3270 (WITHIN MONTHMA DM.Y) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEARM MT 59771-0673.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLINBERE400x-W-0772?1-00

IMPORTANT MOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRISK (X) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HATUMAL RESOURCES MAY COMPENDATION (CONE) DURING THE EXAMPLIANTION PROCESS. THESE CHANGES RIVE RITHORIZED BY THE MONTHAM WATER COURT OF THE WATER TIGHT CLAIM EMMINISTED RULLES AS ADOPTED BY THE MONTHAMA SUPPLEME COURT.

DBJECTIONS MAY BE FILED ACCOMPING TO THE PROCEDURES OUTLINED IN THE OCCUPENT ENTITLED HOTILE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALINBILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVAM MATER COURT IN THE DECREE, THE ELEMINIS OF THIS CLAIMED WHITE RIGHT WILL APPER IN THE FINAL DECREE AS SMOWN ON THIS MOSTRACT. (SEE SECTION 857—2-23) MONTHMA COOR ANNOTATES.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND NIGHT)

PO BOX 36800 BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE : SPRING, TRIB OF HAWK COULEE SOURCE TYPE: GROUNOWATER

* PRIDRITY DRIE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: 1.97 GPM

* PLACE OF USE FOR SIDCK:

* UOLLINE:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RIE OF 30 GALLONS PER DAY PER MATERIA LUNIT, ANTIARL LUNIT, SEALL BE BRESED ON RESONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY

THIS WATER SOURCE.

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION .

LOT BLK DIR SEC SEC INP RGE COUNTY DEBNS

01 SWSWSE 28 30N 40E URLLEY DEUFLOPED SPRING

BORES LOT BLK GIR SEC SEC IMP RGE COUNTY

SWSWSE 28 30N 40E UALLEY 001

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER KIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN OCCURD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE HILK RIVER BELDW WHITEWHER EREK INCLUDING PORCLAPINE CREEK PRESIN 4000

ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHTSHUMBERS 400s-W-077271-003(CONTINUED)
REFIRENCE CONTINUED:

W077271-00, W077272-00.

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THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNCESTANDING DE YOUR CLAIMED MATER RIGHT CAN BE DETAINED BY COMPARING VOURR RICH VINI OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COMPAGE PRIDEITO DATES, FLOW BRIES, UDLUMES, OR ACCES TREIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJURNING BOSINS OR SUBPOSINS OR SUBVELL AS BETTM SUBJECT OF THE RIGHT ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MITERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MODIFIES OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLUMENT INTILLED "MODITICE OF REPORT OF THE PROPERTY OF PRELITINARY DECREE AND NOTICE OF AUMILIABILITY." IF YOU WEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MODITAIN ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN MT 59771-0479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK DIGLUDING PORCUPINE CREEK BRSTH 400

ABSTRACT OF WATER RIGHT CLAIM

WATEPERIGHT 2007/002-W-077272-00

IMPORTANT MOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT ARE LIGHTED OR AMENDED. AN ASTRACK (2) HAS BEEN PLACED MAY IT OF EACH ITEM COMMISSED BY THE DEPARTMENT OF MAILAND, RESOURCES AND LIDNERSPORTION (UNKE) DURING THE EXAMINATION PROCESS. THESE CAMMISS MAY REMAINED BY THE MONTHM WATER COURT OF THE WATER RIGHT CLAIM EXECUTED BY THE MONTHM WATER COURT OF THE WATER RIGHT CLAIM EXECUTED BY THE MONTHM WATER.

DEJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF AUMILIARILITY." BULESS DEJECTED TO OR CALLED TO AN HOTION OF THE ROTHAND MATER COURT IN THIS DECREE, THE ELECKITS OF THIS CLATED WATER RIGHT WILL APPEAR IN THE FINAL DECREE OF SHOWN ON HIS DESTRICT. CEEE SECTION 65"2-233, MONTANA CODE MANDITARED.

OMNERS: USA COEPT OF INTERIOR SUREAU OF LAND HIGHTO PO 80X 36800 MT 59107

PURPOSE (USE): VILOLIFE

* SOURCE .

SPRING, TRIB OF HAWK COULEE SOURCE TYPE: GROUNDWATER TYPE OF HISTORICAL RIGHT: USE

* PRIDRITY DETER DECEMBER 31, 1966

FLOW PRIE:

1.97 GPM

UCLUME:

2.58 AF

PERIOD_DE USE: JANUARY DI TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI BLK DIR SEC SEC IMP RGE COUNTY MEBMS DEVELOPED SPRING

01 SWSWSE 28 30M 40E URLLEY

: PLACE OF USE FOR WILDLIFE: ACRES LOT BLK DIR SEC SEC TWP RGE COUNTY

SWSWSE 28 BON 40E UALLEY

001 PETIARKS .

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL FURPUSCS DOES NOT INCREASE THE EXTENT OF FOR SCORM FORMUSES DUCES NOT THERETS THE EXTENT OF THE WATER RIGHT. RATHER IT DEGREES THE RIGHT IS ALTEMATE AND EXCHANGE THE USE (PURPOSE) UP THE WATER IN ALCORD WITH HISTORICAL PRACTICES. W077271-00, W077272-UU.

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PRELIBINARY DECREE MILK RIVER BELOW WHITEMATER CREEK INCLIDING PORCUPINE CREEK BASIN AGG ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTERERE WOOD - W-077272-004 (CONTINUED)

REMARKS CONTINUED:

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THE FOLIDWING ISSUES WERE IDENTIFIED BY THE DWG DURING ITS EXMITINITUR OF THIS WHITE RIGHT CLAIM. THESE ISSUES MAY REMAIN COMMESCUED IF NO OBJECTIONS ARE FILED.

THE PRIDRITY DATE IS IN DESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 DROWNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UPALIDITY OF THIS CLAIMED RESNT. IN THE PATTER OF THE OR PROWN DRAITWAGE RES, 238 NORT. 383 (1988) THE WEST LAKE FOR THE HUMBARN SUPPLER EDURY STREET "217 S. LERS THEREFORE THAN LANGER MONTHAN LAW BEFORE 1973, NO RAPAGRAIATION REST WAS RECONSTRUCTED FOR RECREATION, FISH AND STRUCKLES EXCEPT TANGER A THEREFY REGAL STRUCK.

A BETTER UNDERSTONDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRICATED. ALSO, YOUR WATER RIGHT ANY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO COTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

CO-MF-LETE DETAILS REGARDING THE OWNE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTINED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITIED THE THE DOCUMENT ENTITIED THE PRELITAGE OCCRES AND MOTICE OF AURILIABILITY.

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BUILTON ON THE OF ENTRY OF PRELIMINARY DEFECTED AND THE OFFICE AND MOTILE OF AMAILTABILITY.— IF YOU NEED OBJECTION FORTS, OR MANUE QUESTIONS ABOUT WATER COURT PROCECUTES OR CAMPAGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-FAC4-3270 (WIT-IN MOTHRM DAY) JA 1-406-536-4364, OR BY WRITING TO 9.0. (AS 875), BUZEMAN MT 5977-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077273-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CYBIGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHAMBED BY THE DEPARTMENT OF MATURAL RESPACES AND CONSERVATION (OWER) DURING THE EXAMINATION PROCESS. THESE CHAMBES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY. = UNLESS DECREED TO OR CALLED IN ON MOTION OF THE MOTHANA MATER COURT IN THE SECREE, THE ELEMENTS OF THIS CLATED WATER RICHT WILL APPEAR IN THE FINAL DECREE SCHOMEN ON THIS OBSTRACT. CSE SECTION 65-2-233, MONTHAN CODE RANDIATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT)

PO BOX 36800 BILLINGS

59107

PURPOSE_(USE): STOCK

SPRING, TRIB OF SPRING COULEE SOURCE TYPE: GROUNDWATER * SOURCE:

* PRIDRITY DATE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE

1.97 GPM

FLOW BAIE:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED * UDLUME:

PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT_OF DIVERSION AND MEANS OF DIVERSION:

LDI BLK QIR SEC SEC IMP RGE COUNTY MERNS

SWHWSE 29 30N 40E UALLEY 01 **GEUELDPED SPRING**

* PLACE_DF.USE_FOR_SIDCK:

BCRES LOT BLK OIR SEC SEC IMP RGE COUNTY

SUNUSE 29 30N 40E VALLEY

REMARKS:

001

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO PLIERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077273-00g(CONTINUED)

REMARKS CONTINUED.

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> 1 1 *

W077273-00, W077275-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REHAIN UNKESOLVED IF NO OBJECTIONS ARE FILED. Ì ±

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, URLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN AUDITHING BASINS OR SUBBASINS AS VELL AS BEINS UBJECT TO OTHER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WHOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GEHERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELITINARY DEFRE AND MOTICE OF BROITE OF ROBITIONS OF THE WATER COURT OF THE WATER COURT BY COLLING PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTAIN THE WATER COURT BY CALLING 1-BOO-564-350 (WITHIN HONTAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BUX 879, BUZEMAN MT 59771-0879.

DEVELOPED SPRING

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077274-00

TMPORTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSIGNISK (2) HAS BEEN PLACED MEXT TO BEACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSEQUATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE HONTAINA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTAINA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES GUILINED IN THE DOCUMENT ENTITLED "HOTIZE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINH. DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23) HOTINAIN COUR CHANDIATED.

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS:

PO BOX 36800 BILLINGS

59107

PURPOSE (USE): STOCK

SPRING, TRIB OF SPRING COULEE SOURCE TYPE: GROUNDWATER * SOURCE:

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE:

2.96 RPM

* UDLUME:

01

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS SWSWSE 29 30N 40E VALLEY

* PLACE_OF_USE_FOR_STOCK:

BCRES LOT BLK OTR SEC SEC. TWP RGE COUNTY

SUSUSE 29 30N 40F UALLEY

001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURA, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. ARTHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRROTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077274-002CCONTINUED)

REMARKS CONTINUED:

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* * *

W077274-00, W077276-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT CON BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN HE GASIN. FOR EXAMPLE, COMPARE PRIORITY MARE, FLOW RATES, UNLUMES, OR ACCES TRATAFOL. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BARNIS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED MATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND ONTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROT THE WATER COURT BY CALLING 1-BOO-2824-3270 CWITHIN MONTANA ONLY OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879. BOZEMAN MT 59771-0879.

03/31/95 PAGE 3.505

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-V-077275-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRECT MAY MAVE CLOUDES FROM YOUR WATER RIGHT ACCIDINED OR ADENDED. AN ASTERISM (S.2) HAS BEEN AGENERATION CONTROL THE RESTRICT OF THE PARTICULAR OF MATUREL RESOLUCES AND EDWISERVATION CONTROL WITHOUT HE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHER COURT OF THE MATURE RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MATURAL SUFFICIENT OF THE MATURE RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MATURE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE OCCUMENT ENTITLED MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF TABLETY. BUNESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAN MATER COURT IN TOSEE, THE ELEMENTS OF THIS CLITTED MATER RISHT WILL APPEAR IN THE FINAL DECREE AS SHOWN OF HIS BASTRACT. (SEE SECTION 05-2-23, MOTHAN CODE ANYMOTATE).

DWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800

NT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SPRING, TRIB OF SPRING COULEE SOURCE TYPE: GROWNDWATER

SOURCE TIPE: GROUNDWHIER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

ELDW_RBIE: 1.97 GPM

UOLUNE:

2.58 AF

PERTOD OF USE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSIGN AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

O1 SWNYSE 29 30N 40E URLLEY

DEVELOPED SPRING

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SWNWSE 29 30N 40E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIFLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PUMPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IM ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSTW 4017

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077275-00x(CONTINUED)

PENOPES CONTINUED.

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THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROWNOWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRINED RIGHT. IN THE MRITHER OF THE DEARBOON DRAINSDE REAR, 234 MONT. 343 (1988) (THE BERN LAKE CREE) THE MONTANNA SUPREME COUNT STATED! "IT IS CLEAR THEREFORE THAT UNDOE MONTAND LAW BEFORE 1973, MO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLITE, EXCEPT THROUGH A MURPHY RIGHT STRUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES INTIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO CHIER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF FAIRY OF PRELIMINARY DECREE AND MOTICE OF ANALISALISTY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BUILTED FOR THIS OF PREINTHARY DECREE AND NOTICE OF AUAILABILITY.* IF YOU NEED 0BJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-000-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MIS 59771-0879.

DEUFLOPED SPRING

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

COSTRACT OF MOTER RICHT PLATE

WRITERERIGHTONUMBERE 400x-W-077276-00

THPORTANT MOTTER

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY MAVE CUBURES FROM YOUR WATER RIGHT AS CLAIMED OR MEMORED. MY RISELISK, UZ.) HAS BEEN PACED MEYT TO BOTH THE CHARMED BY THE DEPARTMENT OF MATURAL RESDURCES AND CONSERVATION CONCESS. THESE CHARGES ARE CHARGES ARE CHARGES ARE OF THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXPANIMATION RULES AS ADOPTED BY THE MONTHAM WATER SUPPRIES COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AWAILABILITY." UNLESS DECREES TO OR CALLED IN MOTION OF THE NONTHAN AWATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITER RIGHT WILL APPEAR IN THE FIRM. DECREE AS SAMONN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MOTHAM CODE AMMOTRED.

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
RTLLINGS 8T 59107

PURPOSE (USE): WILDLIFF

* SOURCE: SPRING, TRIB OF SPRING COULEE SOURCE TYPE: GROUNDWATER

SUURCE TYPE: GRUUNUMHIER

* PRIORITY DRIE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE

ELOW_RRIE: 2.96 GPM

UCLUME: 4.18 RF

* PLACE DE USE EDR WILDLIFE:

PERIOD_DE_USE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSION AND MERNS OF DIVERSION:

LOT BLK OIR SEC SEC TYP RGE COUNTY MEANS

01 SWSWSE 29 30N 40E URLLEY

__ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

OO1 SWSWSE 29 30N 40E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE REPORT FOR SEUERAL PUMPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO MIERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

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REMORKS CONTINUED:

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXHAINATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REMAIN LUMRESQUED IF MO DBJECTIONS ARE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SIPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIRED SIGHT. IN THE MATTER OF THE SEGMENH DRAININGE REER, 238 MONT, 333 (1988) (THE BERM LAKE CREE) THE ROWINGH SUPPERE COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER ROWINGHOLD WE SEGME 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. A.SO, YOUR WATER RIGHT ANY BE SUBJECT TO WATER RIGHT IN ADJOINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITARY DECREE ARM MOTICE OF AUGILISALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF VOUR CLRITTON WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF HAMILABILITY." IF YOU NEED OBJECTION FORMS, OR HAME QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-564-320 (WITHIN MONTHAM ONLY) OR 1-06-586-364, OR BY WATING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLIDING PORCUPINE CREEK MOSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#HUMBER#400#-W-077277-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTRISK (*) MAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONNEC DURING THE EXPAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OF THE WATER RIGHT CLATH CHANTIMATION RULES AS ADOPTED BY THE MOTTAMA SUPREME COURT.

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	PURPOSE_	(USE): Y	ILDLIFE	:						
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03/31/95 PAGE 3.510

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077277-00E(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077277-00. W077278-00.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLARINGD RIGHT IN THE MATTER OF THE CHARGOON DRAINAGE REA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE MONTHANA SUPREME COURT STATED: "II IS LEAN THEREFORE THAT UNDER MONTHAN LAW BEFURE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILLUIFE, EXCEPT THROUGH AT MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE CETALLS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILMBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTITY OF PRELIMINARY DETECE AND NOTICE OF AVAILABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECOURSE OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, BOZEMAN NT 5977-10479.

PRELIMINARY DECREE PAGE 3,511 HILK RIVER BELOW WHITEWHIER CREEN INCLUDING PORCUPINE CREEK BESTM 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077278-00

IMPORTANT MOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (#) MAS BEEM PLACED MEXT TO EACH ITEM CHANGES BY THE DEPARTMENT OF MATUREAL RESOURCES AND CONSECURITION CHARCO DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DE

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	PURPOSE					332	•				
	SOURCE:			TRIBUTAR TYPE: SU				EAST FO	DRK		
	BRIDRIIA	_DATE :		/ 28, 195 HISTORIC		GHT:	USE				
	ELDW_RBI	E:		RATE HAS			ED FOR T	HIS USE	FROM		
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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077278-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETENSITE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICHE, PRACTICES. W077277-00, W077278-00.

THE PART SYMPHOTON OF THE PLOY ETHER MY STONESTED FORTE

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT UTIN OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACKES INFRIENCED A.S.O., YOUR WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RESULTED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF RMULINGELITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHILLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RUATILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE GUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-800-624-3270 (WITHIN HONTAMN DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802EMBM NT 59771-0879.

03/31/95 PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN-400

WATERERIENTENUMBERE4002-W-077279-OD

IMPORTANT NOTICE

YOUR WRITER RISHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLASSED OR REPORD. AN ASSERTSK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAN, RESOURCES AND CONSEQUATION (OMEC) DURING THE EXPANDIATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTHMA WATER COUNT OF THE WATER RIGHT CLASS PARTMENTS MILES AS ADOPTED BY THE MONTHMA SUPPENE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF BURIL WATERY OF UML DEC

REE. THE	TED TO DE CALLED IN ON MOTITION OF THE MONTAMA WATER COURT IN THIS ELEMENTS OF THIS CHATMED WATER RICHT WILL APPEAR IN THE FINAL DECREE THIS ABSTRACT. (SEE SECTION 85-2-239, MONTAMA CODE ANNOTATED.)
	USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PO 88X 36800 BILLINGS MT 59107
•	USE): WILDLIFE
SOURCE :	UMMANED TRIBUTARY OF PORCUPINE CREEK SDURCE TYPE: SURFACE WATER
PRIDRITY	DBIE: JULY 25, 1963 TYPE OF HISTORICAL RIGHT: USE
ELDW_RBIE	MO FLOW RATE MAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR.
VOLUME:	13.20 RF
PERIDO_DE	_USE: JAMUARY 01 TO DECEMBER 31
POINT_DE_	DIVERSION.ANO_NEANS_DE_DIVERSION:
	LOT BLK OTR SEC SEC TWP RGE COUNTY HERMS
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RESERVOIR	t
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MUL	WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE TIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPING CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERS400g-W-077279-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETEMBTE RND EXCHANGE THE USE (PLAPPUSE) OF THE WATER TH ACCORD WITH HISTORICAL PRACTICES. W077279-OO, W077280-OO.

THE FOLLOWING ISSUES WERE ISSUITED BY THE DWGC DURING ITS

E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

E WARREQUED IF MO DECETIONS REF FILED.

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THERE IS, 4 QUESTION AS TO THE UNLIDITY OF THIS CLATED RIGHT. IN THE METTER OF THE DEARBORN DRAINAGE REA, 24 MENT, 343 (1982) (THE BERN LAKE CASE) THE MONTAIN SUPPERE COURT STATED: "IT S CLEAR THEREORE THAT UNDER MONTAIN AN OFFERE 1973, NO APPORTAINON RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND UNLIFTER STATUTE."

A BETTER LAMFESTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DETAINED BY COMPARING YOUR RICH WITH OTHER CLAIMS IN THE BASH. FOR EXAMPLE, COMPARED PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IM ADJINITING BRISHS OR SUBPRISHS AS BELL AS BEING SUBJECT TO THOSE RICHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL BESERVED MATER RIGHT.

COMPLETÉ DETAITS PEGARDING THE EMPE EXAMINATION RESULTS AND RELATED MATERIALS CAM BE RÉCIEMED AT THE DÉFICE CONTINUES CORMITÉED UN THE DOCUMENT ENTITLED "MOTICE OF EMPR OF PRELIMINARY DÉCREE AND MOTICE OF AMAIGRAILITY."

SEE SEMERAL FORBINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WAITER RIGHT. THESE FINDINGS CAN BE FOUND AS INCICATED IN THE DOCUMENT ENTITLED "MYDIZE OF ENTRY OF PRELIMINARY DETER MYDIZED IN THE ORDITARY OF PRELIMINARY DETER AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS. OR HAVE QUESTIONS ABOUT WAITER COURT PY CREATING TO PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WAITER COURT BY CHALING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OP BY WRITING TO P.O. BOX ATO 379, BOZEMAN MT 5977-10479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLINGEREACORE-W-077290-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHAMBES FROM YOUR WATER RIGHT AS CLATHED DE AMENDED. AN ASTRICK (1) HAS BEEN PLACED MEXT TO ENCH ITEN CHAMBED BY THE DEPARTMENT OF MATURAL RESOURCES AND COMSERVATION CONNECT UNITED WITH A WATER COURT OF THE WATER RIGHT CHAMBES CHAMBES REFRENCES FROM THE MOST AND MATER COURT OF THE WATER RIGHT CHAMBER EXPENDIATION RILLES AS ROUPTED BY THE MOST AND A CHAMBES AND A CHAMB SUPREME COURT.

OBJECTIONS HAY BE FILED ACCOMPING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE DE ENTRY OF PRELIXIMANY DECREE AND MOTICE OF MATLABILITY." UNLESS DEJECTED TO OR CALLED THE ON MOTION OF THE MONTHAM MATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAYED MATER EXIGHT WILL APPEAR THE THE PROCEDURE.

RS'	SHOWN ON	THIS RESTRACT. (SEE SECTION	85-5-233	, MONTANA	CODE ANNOTATED.)
	OWNERS:	USA CDEPT OF INTER PO BOX 36800	RIDR BUREAU	OF LAND	MGHT)		
		BILLINGS	HT	59107			
	PURPOSE_	(USE): STOCK					
	SDURCE:	UNNAMED TRI			CREEK		
	PRIDRITY	LGIE: JULY 25, 19 TYPE DF HIS	63 TORICAL RIG	HT: USE			
	ELDW_REI	E: NO FLOW RATE			FOR THIS L	ISE FROM	
	VOLUBE:	.50 R	F				
	PERIOD_D	E_USE: JANUARY 01	TO DECEMBER	31			
*	POINI_DE	DIVERSION_OND_MEG	NS_DE_DIVER	SIDN:			
		LCI_BLK_QIR	_SEC_SEC_IN	P_RGE_CDI	UNIY	DEBUS	
	C1	ME	SENV 20 30	N 41E VA	LLEY	DAM	
	RESERVOI	B+					
		018	_SEC_SEC_I	P_RGE_CD	UNIY		
	O1 DNS	TREAM NO	SENW 20 90	N 41F. UR	LLEY		
*	PLOCE_DE	_USE_EOR_SIDCK:					
		80885	rai-Brr	QIR_SEC_	_SECIMP	RGE_COUNTY	
	001			NESENW	SO 30H	41E UALLEY	
	BEDBEKS:						

THE WATER RIGHTS 1131ED FOLLOWING THIS STRITEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INTERERSE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077280-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077279-00, W077280-00.

THE DWG ENAITHRIED OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING OWNER RIGHT VITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDUMES, OR RCRES IRRIGATED. RLSD, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBASINS AS EACH, AS BEILL AS BEING SUBJECT TO OTHER RIGHTS UN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIEM RESERVED MON FEEREN, RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REQUENCE AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WAITER RIGHT. THESE FINITHES EAR HE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AWAILABLITY." IF YOU NEED GBJECTION FORTS, OR HAVE QUESTIONS ABOUT WAITER COURT PROCECOURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WAITER COURT BY CRILING 1-800-624-3270 (WITHIN MONTANA DRLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, BOZERAN NT 58771-70879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASTN 400

ABSTRACT OF WATER RIGHT CLAIM

TMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRISK (2) HAS BEEN PLACED NEXT TO EACH TIEMHOUSD BY THE OPPARTMENT OF NATURAL RESOURCES AND CONSEQUATION CONNEC DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANN WATER COURT OF THE WATER KIGHT CLAIM EXMINIATION RULES AS ADOPTED BY THE MONTANN AMERICANT OF THE WATER KIGHT CLAIM EXMINIATION RULES AS ADOPTED BY THE MONTANN AND T SUPPEME COURT.

ORJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT

UBJECTIONS HAY BE FILED RELOXATION IN THE PROCEDURES DOLLINED IN THE DUCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALHABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SKOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA COCE ANNOTATED.) USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO 80% 36800 OWNERS : BILLINGS 59107 PURPOSE CUSE): WILDLIFE UNNAMED TRIBUTARY OF PORCUPINE CREEK SOURCE : SOURCE TYPE: SURFACE WATER PRIDRITY DATE: JULY 26, 1963
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. VOLUME : 11.18 AF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 2 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT_BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NWSESE 29 30N 41E VALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY OI ONSTREAM NWSESE 29 30N 41E VALLEY * PLACE DE USE FOR WILDLIFE: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY NUSESE 29 30N 41E UALLEY 001 REMORKS :

> AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF USE AND PLACE OF STORAGE COMPLETED 04/25/85. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973.

PRELIMINARY DECREE PAGE 3; MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIAGOI - W-077281-001(CONTINUED)

REMARKS CONTINUED.

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APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE REGHT FOR SEURAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO HIERNAME AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

*** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DATE DURING ITS

*** EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
*** UNRESOLUED IF NO BAJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE THAT WHOSE MONTHAIN COURT STATED! "TI SLEAR THEREFORE THAT WHOSE MONTHAIN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MIRRHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BOSIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UQUINES OR CARES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJINIANG BASINS OR SUBBRING AS BELL AS BEING SUBJECT OT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DEFREININGS OF MIDICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTINUE THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN HONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEANA MT 59771-0879.

O3/31/95 PRELIMINARY DECREE PAGE 3,519 BILL RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABOUTH 400 PRETABOL OF THE PROPERTY OF THE

WATERZRIGHTZHUMBERZ4002-W-077282-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (x) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPREME COURT.

UBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

DE	REE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)
	QWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PU 80X 36800 BILLINGS NT 59107
	PURPOSE_LUSE3: STOCK
	SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK SOURCE TYPE: SURFACE WATER
	PRIDRITY_DATE: JULY 26, 1963 TYPE OF HISTORICAL RIGHT: USE
	ELOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	UDLUME: .62 AF
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
*	POINT_OF_DIVERSION_OND_MEANS_DF_DIVERSION:
	LOT BLK_QIR_SEC_SEC_TWP_RGE_COUNTY
	O1 NWSESE 29 30N 41E VALLEY DAM
	RESERVOIR:
	OTR SEC SEC TWP RGE COUNTY
	O1 DHSTREAM NWSESE 29 30H 41E URLLEY
1	PLACE_DE_USE_EDR_SIDCK +
	ACRES LOT BLK QTR_SEC_SEC_TWP_RGE_COUNTY
	OO1 NWSESE 29 30H 41E URLLEY
	REDARKS:
	AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF USE AND PLACE OF STORAGE COMPLETED O4/25/95. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973.

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03/31/95 PRELIMINARY DECREE PAGE 3,520 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077282-00±(CONTINUED)

REMARKS CONTINUED:

APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEHENT ARE MILTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO MELTERNINE AND EXCHANGE THE USE CUMPOSES OF THE WATER RIGHT. IN ACCORD WITH HISTORICAL PRACTICES.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BETTEK UNDERSTRAUTING DE YOUK CLEATEU WHIEK KILDHI CHAN BU USHIALED BY CUMPHRAID YOUR RIGHT WITH OTHER CLEATES IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, BOLDIES, OR ROCKES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHITER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS VELL AS BEING SUBJECT OT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED WHITER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS ZOENTIFIED IN THE DOCUMENT EMTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIGALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHERE RIGHT. THESE FINDINGS CAH BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF FRELITINARY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED DESECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1800-1847-3270 (WITHIN MONTAND ONLY) OR 1-406-586-384, OR BY WATTING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#~W-077293-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR RIFENDED. AN ASTERISK CZ) MAS BEEN FURCED MEXT TO EACH ITEN CHANGED BY THE CHARTHENT OF MATUREL RESOURCES AND CONSERVATION CONTC.) DURING THE EXMINATION PROCESS. THESE CHANGES RIKE AUTHORIZED BY THE MONTANA WATER CLAUMET OR THE WATER RIGHT CLAUME EXMINATION RULES AS ROOFTED BY THE MONTANA SUPPERE CHIET

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY. UNLESS GORCIED TO OR CALLED IN HOTTON OF THE MOUNTAIN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPERE IN THE FINAL DECREE AS SHOWN ON THIS BASTRACT. (SEE SECTION BS-2-233, MONTHAN COLOR ANNOTATES)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 368000
BILLINGS NT 59107

PURPOSE (USE): STOCK

UNNAMED TRIBUTARY OF UHLAN COLLEE * SDURCE: SOURCE TYPE: SURFACE WATER

* PRIDRITY DATE: NOVEMBER 30, 1966
TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS DISTREAM RESERVOIR.

UDLUME:

-62 AF

PERIOD_DF_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC THE RGE COUNTY MERNS NESESW 30 30M 41E VALLEY

RESERVOIR:

01

OTR SEC SEC TWP RGE_COUNTY

O1 ONSTREAM

NESESV 30 30N 41E URLLEY

* PLACE OF USE FOR SIDCK :

___BCRES_____LDI_BLK__QIR_SEC_SEC_ TWP _RGE_ COUNTY

30N 41E SENESW NESESV 200 30 30H 41E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

PRSTRUCT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077283-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077283-00. W077284-00.

THE DWGC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW BATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO OTHER RIGHTS OM YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT PHD CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THERE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ROTICE OF ENTITY OF PRELINIARY DOCREE AND MIDICATED IN THE REAL HOLDING FOR THE PROCEDURES OF CHANGES TO YOUR RIGHT, YOU ON CONTROL THE WATER COURT BY CALLING 1-BOD-624-3270 (WITHIN MONTHAM DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BUZERNAM INT 5977-30879.

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PREI ININARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSTN 400

ARSTRACT OF MATER PICHT IT ATK

WATERERIGHTENUMBERE400E-W-077284-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AN ASTRAISK (2) HAS BEEN PLACED MOXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES AND COMPRENATION (OWAC) DURING THE EXPOUNTION PROCESS. THESE CHANGES ARE RUTHURIZED BY THE MONTHAM WATER COUNT OF THE WATER RIGHT CLAUM EXPONENTION RULES AS ADOPTED BY THE MONTHAM AFTER SIPPEME CHIEFT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO DR CALLED IN ON MOTION OF THE MOTIVAND MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED MATER RIGHT WILL MAPER IN THE FINAL DET AS SHOWN ON THIS DRIVENT. CSEE SECTION 65-2-233, MOTHANG CODE ARMOTRIES.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 DWMERS: BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF UHLAN COULEE 2 SOURCE: SOURCE TYPE: SURFACE WATER * PRIORITY_DBIE: NOVEMBER 30, 1966 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS DMSTREAM RESERVOIR. UCLUME: 1.38 AF PERIOD DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC TYP RGE COUNTY MEANS 01 NESESW 30 30N 41E URLLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY OI OMSTREAM NESESW 30 30N 41E URLLEY * PLACE DF_USE FOR WILDLIFE: BCRES LOT BLK OTR SEC SEC TYP RGE COUNTY

002 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

SENESW 30 30H 41E UALLEY NESESW 30 30H 41E UALLEY

PRELIMINARY DECREE HILK RIVER SELLOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHT SHUMBERS 400 X-W-077264-00 X (CONTINUED)

RETIFICALS CONTINUED

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO PLITERWRIE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOT7783-00, WOT7783-00.

THE FOLLOWING ISSUES WERE INSTITUTE BY THE DIRECT DURING ITS

EXPERIMENTIAL OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LIMITESOLVED IF NO DELECTIONS REF FILED.

THERE IS A QUESTION AS TO THE UNITDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRAIMAGE RAEA, 23 MOINT. 343 (1980) (THE BEAN LAKE CASE) THE WHAT AND AN ARROWS THE CHART THE COURT STATED! "IT IS CLEAR THEREFORE THIS UNDER MOUNTHING LW SEFORE 1977, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND UILDLIFF, EXCEPT IMMOUNT A MURPHY RIGHT STUTE."

A BETTER UNDESTANDING OF YOUR CLATMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, MOLUES. OR ACES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BOSINS OR SUBDISTING SELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DIFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTITIED "FINDITICE OF HIRTY OF PRELIMINARY DEFRE AND MOTICE OF ANAIL MBILITY." IF YOU NEED DESICTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTAN ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10879.

03/31/95

PRELIMINARY DECREE PAGE 3,525 HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077285-00

IMPORTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHEMGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (#) HAS BEEN PLACED MEXT TO EARCH ITEM CHANNEED BY THE DEPARTMENT OF MATUREN, RESOURCES AND CONSERVATION COMEZ DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FIRML DECREE

SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MUNTANA CODE ANNOTATED.)
DWMERS: USA CREPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107
PURPOSE_LUSE3: WILDLIFE
SQUECE: UNMAMED TRIBUTARY OF UHLAM COULEE SQUECE TYPE: SUFFACE WATER
PRIORITY DBIE: FEBRUARY 28, 1950 TYPE OF MISTORICAL RIGHT: USE
ELDW_RBIE: MO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DMSTREAM RESERVOIR.
<u>VOLUME</u> : 15.88 AF
PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
POINT_DE_DIVERSION_BND_NEBNS_DE_DIVERSION:
LOI BLK OIR SEC SEC IMP RGE COUNTY MEANS
O1 SENWINW 30 30N 41E URLLEY DAM
RESERVOIR:
QIR_SEC_SEC_IMP_RGE_COUNTY
O1 OMSTREAM SEMMNW 30 30N 41E UALLEY CAPACITY:12_1 8C-EI DAM HEIGHT: _20_EI SURFACE AREA:1190_8CRES
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.
THE CAPACITY, DAM MEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DWRC.
PLACE OF USE FOR WILDLIFE :
BCRESLOI_BLKQIB_SECSECIMP_RGE_COUNTY
001 SWNENW 30 30N 41E URLLEY 002 SENWNW 30 30N 41E URLLEY
REDBRES: * I 13

03/31/95 PRGE 3.526

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077285-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE RESOLUTION. THEY SHAWE THE SAME RESERVOIR. POS1785-00, W077296-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERNE, PURPOSES DOES NOT INDEREST THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO METERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWGC DURING ITS

** EXMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

** LUMRESCULED IF NO BOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE COSE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH NOO WILDLIFE, EXCEPT THROUGH A PURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WHER RIGHT HAY BE SUBJECT TO WHER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED MON FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGINATIONS LI

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELIFINARY DECREE AND NOTICE OF AVAILABILITY.— IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624 3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802EMAN MT 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-V-077296-00

IMPORTANT NOTICE

YOUR WATER RIGHT OF SHOWN ON THIS ORSTONED HAVE CHONGES FROM YOUR WATER RIGHT OF CLARING OR WHENDED. HE STEEKER (2) MAS DEED M. RACE MEXT ID SHOT LITER CHANGED BY THE DEPARTMENT OF MATUREM, RESURCES AND CONSERVATION (OWED) DURITHER DURITHATION PROCESS. THESE CHANGES OR BE AUTHORIZED BY THE MONTHAW METER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTHAW METER SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY OCCREE AND MOTICE OF ANALIGALITY."
UNLESS DEJECTED TO OR CALLED IN ON MOTION OF THE MOTIFMAN MATER COURT IN THIS DEDREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SADOMN ON THIS RESTRACT. (SEE SCIIDIN 85-2-233, MOTIFMAN DOC ARMOTRED.)

DIMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO BOX 36500 BILLINGS 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF UHLAN COULEE SOURCE : SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1950
TYPE OF MISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RRIE: THIS ONSTREAM RESERVOIR. .62 AF VOLUME: PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QIR SEC SEC TWP RGE COUNTY 01 SEMMMW 30 30M 41E UPLLEY DAT RESERVOIR: __OIR_SEC_SEC_IMP_RGE_COUNTY_ 01 DNSTREAM SENUNU 30 30N 41E URLLEY CAPACITY: 12.1 BC-EI DAN HEIGHT: 20 EI SURFACE AREA: 1.90 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR RODITIONAL RESERVOIR DATA. * PLACE DE_USE FOR STOCK: BCRES LDI BLK DIR SEC SEC IMP RGE COUNTY 001 SUNENU 30 30N 41E VALLEY 005 BEDBEKS : K 13

03/31/95 PROF 3.529

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTROCT OF MATER RIGHT OF ATM

WATERERIGHTENUMBEREGODE-W-077286-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. POS1785-00, M077285-00, M077286-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NULTIFLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERM, PURPOSES DOES NOT INDERESS THE EXTENT OF THE WATER RIGHT. RATHER IT DEDEES THE RIGHT TO RETEMBLE OND EXCHANGE THE USE CHRPOSE) OF THE WATER IM ACCURD WITH HISTORICAL PRACTICES. W077285-00, W077286-00.

E THE DWKC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, a DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING A BETTER UNDERSHAUDING OF YOUR CLAIRED WHIER KILDH LEND BE DEMINED BY COMPARING YOUR RICHI WITH DIMER CLAIMS IN THE BASIN. FOR EMBRYE, COMPANDE PRIDRITY DATES, FLOW RATES, UDLUTES, OR AGRES IRRIBATED. ALSO, YOUR WATER RICHI HAY BE SUBJECT TO WHER RICHIS IN ADJUNING BASINS OR SUBBESSINS OR SUBLICE TO OTHER RICHIS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RICHI HAY BE SUBJECT TO INDIAN RESERVED HAND FEDERAL RESERVED WATER RICHIT HAY BE SUBJECT TO INDIAN RESERVED HAD FEDERAL RESERVED WATER RICHIT HAY BE

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WHOTIPE OF ENTRY OF PRELITIONERY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILED "MOTICE OF ENTRY OF PRELIMINARY DEFRE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR MAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 59771-0879.

TILK RIVER BELOW WHITEWHIER DEEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERISH CERUMBERS 400x-W-077297-00

IMPORTANT NOTICE

YOUR WATER FIGHT AS SHOWN ON THIS RESTRICT THAY HRIVE CHONGES FROM YOUR WATER RIGHT AS CLINING ON PREMIOD. AN ASSERTER (12) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESOURCES HAD CONSERVATION CONKED JUSTING THE CHANGE THE THE MATER RIGHT CLART AS CHANGES ARE MUTHURIZED BY THE MOSTRAM WATER COURT OF THE WATER RIGHT CLART EXPRENDING RULES AS ROOPTED BY THE MOSTRAMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCECURES DUTLINED IN THE DOCUMENT ENTITLED "MOTILE OF ENERGY OF PRELIMINARY DECREE AND MOTICE OF WARLMBLITY."
UNLESS OBJECTED TO DE CRALLED IN ON MOTION OF THE MOTIVAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. CSEE SCITION 65-2-239, MOTIVATION COMPANDITATED.

DMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS RT 59107

PURPOSE (USE): WILDLIFE

UNNAMED TRIBUTARY OF UHLAN COULEE SOURCE TYPE: SURFACE WATER * SOURCE:

PRIDRITY DATE: JULY 30, 1963
TYPE DE HISTORICAL RIGHT: 1/5E

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLDW RATE:

UTILLITIE: 3.50 AF

PERIOD DE USE: JANUARY O: TO DECEMBER 31

* POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC IMP RGE COUNTY MEANS DAM 01 SWITTENE 31 30N 41E UALLEY

RESERVOIR:

01 DNSTREAM

OTR_SEC_SEC_TYP_RGE_COUNTY____

SWSENE 31 30N 41E VALLEY * PLACE_D: USE_FOR_WILDLIFE:

BORES LOT BLK OIR SEC SEC IMP RGE COUNTY

001 200 SWSENE 31 30N 41E URLLEY SESWNE 31 30N 41E URLLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USED OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

M 13 ¥

03/31/95 PAGE 3,530

PRELIMINARY DECREE MILK RIVER BELOW WHITEWITER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHTSHUMBERS4003-W-077287-001(CONTINUED)

REMORKS CONTINUED.

ž I x × * × THE MILE KASSI. MRIMER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077287-00, W077288-00. THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WHITE RIGHT CLRIM. THESE ISSUES MAY REMAIN LARGESQUEDD IF NO DRUCCTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS LLAIMED RIGHT. IN THE WATTER OF THE DERRORM DRAINAGE REA, 23 MONT. 349 15980 (THE BERN LARE CREE) THE MONTANA SUPPERE COURT STRIED: "IT IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1373, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A NURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRSIM. FOR EXAMPLE, COMPARE PRIGHTIV DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER KIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE CSTAILS REGARDING THE CHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF GARGIABLY IV."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE SEE GEMENH, FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIBED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MOMILIABILITY." IF YOU NEED DESECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN COMTACT THE WATER COURT BY CALLING 1-800-564-3370 (WINTIM MONTANA ONLY) OR 1-106-586-4364, JR BY WRITING TO P.D. 80X 873, BOZEMAN MT 59771-0879.

03/31/95 PRGE 3,531

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CKEEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT ENUMBERS 4002-W-077288-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER TIGHT AS CLAIMED OR AMENDED. AN ASSIGNAL HAVE CONSESSIVE THAT AND CONSERVATION CONC. THE CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OF THE MONTAMA WA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND MOTICE OF ANALHBILITY."
UNLESS DEJECTED TO OR CALLED IN ON MOTION OF THE NOTHANN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS RESTRACT. CSEE SECTION 85-2-233, MONTHAN CODE ANNOTATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36BOO NT. 59107 BILL THES PURPOSE_(USE): STOCK * SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: JULY 30, 1963
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: UOLUME: .50 BF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT_OF_DIVERSION_AND_MEANS_OF_DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY . MEANS 01 SWSENE 31 30N 41E URLLEY DAM RESERVOIR: OIR SEC SEC IMP BGE COUNTY O1 DNSTREAM SWSENE 31 30N 41E URLLEY * PLACE_OF USE FOR STOCK: BCRES LOT BLK OTR SEC SEC TVP RGE COUNTY SWSENE 31 30N 41E URLLEY 31 30N 41E URLLEY 500 SESWHE

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PASE 3.532

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077288-00%(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077287-00. W077288-00.

THE DWAC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT VITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIDGITY DATES, FLOW RATES, UDUNES, OR ACRES IXRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BASIMS OR SUBSRINS OR SUEL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESEPUED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXPMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLAMATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU GAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DMLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MI 59771-0879.

03/31/95 PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHTSNUMBERS 4002-V-077289-00

IMPORTANT NOTICE

YOUR WHITE RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS LIAMMED OR MEMORE. AM ASTERISK (22) HAS BEEN PLREED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEQUATION (ONC) OURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE HONTANN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANN AND SUPPEME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY OFFRE AND NOTICE OF AUMILIABILITY." UNLESS UBJECTED TO OF CALLED IN ON HOTTON OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAMED WATER RIGHT WILL APPEAR IN THE FINM. DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTRAIN CORE ANNOTATED.)

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03/31/95 PAGE 3,534

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ARSTROCT DE MATER RIGHT CLATM

WATERERIGHTENUMBERE400x-W-077289-00x(CONTINUED)

REMARKS CONTINUED:

1

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME TRUMT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WHITER RIGHT. RATHER IT DECREES THE RIGHT TO RITERWATE AND EXCHANGE THE USE CHAPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS

EXAMINATION OF THIS WATER RIGHT (LAIM. THESE ISSUES MAY REMAIN

UNRESQUED IF NO DOBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLRINED RIGHT. IN THE MATTER OF THE DEARBOWN DRAINAGE REAR, 28 MONT. 383 (1988) (THE BEAM LARKE CASE) HE MONTANA SUPREME COURT STATED: "IT IS CLEAR HEREFORE THAT UNDER UNDIT

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITN OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, JOLUMES, OR ACCES TREIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ENDILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATHED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, 80ZERAN MT 5977-10879.

PRELIMINARY DECREE 9AGE 3,535 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT: NUMBER: 4002-W-077290-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANN WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION MULLES AS ROOPTED BY THE MONTANN AND THE MONTANN WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION MULLES AS ROOPTED BY THE MONTANN AND THE WATER THE WATER THE THE WATER THE WAT SUPREME COURT.

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PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 3,536 ---- BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: -W-077290-00: (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERM. PURPOSES DOES NOT INDERSE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IMPROCEMBLY WITH HISTORICAL PRACTICES. W077289-00, W077290-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDUMER, OR ACRES TREIGATED. ALSO, YOUR WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHIER RIGHTS.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOCATIONS IDENTIFIED IN THE ODCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND HOTICE OF AUMILABILITY."

SEE GENERAL FIMDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREES AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (MITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95

PRELIMINARY DECREE PROBLEM SHITEWATER CREEK UNLINDING PORCUPINE CREEK PROBLEM SHOULD S

WATERERIGHTENUMBERE400x-W-077291-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHARGES FROM YOUR WATER RIGHT AS CLAIMED O'. PREMOED. AN ASTREISK (2) MAS BEEN PLACED MEXT TO EACH ITEM CHARGES BY THE DE-ARTENT OF MATURAL RESOURCES AND CONSERVATION CONNECT DURING THE EXAMINATION PROCESS. THESE CHARGES ARE MUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ACCOPTED BY THE MONTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALLABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE

Ī	SHOWN ON THIS RYSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
	DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAMO MGHT) PU BOX 36800 MT 59107
	PURPOSE_(USE): STOCK
	SOURCE: UNNAMED TRIBUTARY OF ALKALI CREEK SOURCE TYPE: SURFACE WATER
	PRIORITY DRIE: DECEMBER 31, 1940 TYPE OF MISTORICAL RIGHT: USE
	ELDW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
	UDLUME: .79 AF
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
t	POINT_OF_DIVERSION_AND_MEANS_OF_DIVERSION:
	LOT BLK OTS SEC SEC TAN BEE COMMIA MEGAS
	D1 SWSENW 02 31N 37E VALLEY DAM
	RESERVOIR:
	DIR_SEC_SEC_IVP_RGE_COUNTY
	O1 DMSTREAM SWSEMW 02 31M 37E UALLEY
Ľ	PLOCE_DF_USE_EDR_SIDCK:
	BCRESLOI_BLKQIR_SECSEC_IMP_RGE_COUNTY
	OO1 SWSENW OZ 31M 37E UALLEY
	REDB8K2:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR STUFFING HOT INTERPRES THE FIXENT OF

03/31/95 PAGE 3.538

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BOSIN 400

ARSTRACT OF WATER RIGHT CLAIM

MRTERERICHTENLIMBERE 400x-W-077291-00x(CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO RITERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077291-00, W077292-00.

* THE DIRC EXPAINATION OF THIS CLAIM FOUND ON SIGNIFICANT FACTS, * * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, DOMPARE PRIDRITY DATES, FLOW RATES, UDLINES, OR ADDES INSTIGATED. ALSO, YOUR WATER RIGHT BAY BE SUBJECT TO WATER RIGHTS IN ADJIDITING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO COTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONEC EXAMINATION RESULTS AND RELATED MATERIALS CANN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DETAILS OF EXPERTED FOR CHIEF OF PRELIMINARY DETAILS NOTICE OF AURILIBILITY.

SEE GERERA FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICEATED IN THE DOCCUMENT ENTITLED "WOTICE OF ENTITY OF PRELIMINARY DETECTED AND MICE OF AUAILABILITY." IF YOU NEED OBJECTION FORTS, OR MAUVE QUESTIONS ABOUT WATER COURT PY CREATENT YOU OR CONTROL THE WATER COURT BY CRELING 1-800-624-3270 CWITHIN MONTHMA DNLY) OR 1-406-596-4364, OR BY WRITING TO P.D. BOX 893. 8022FMAN HT 5477-10879.

03/31/95

PRELIMINARY DECREE PROE 3,539 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN AD BAS

WATERERISHTENUMBERE400g-W-077292-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRISK (2) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEGUATION (DWGC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RITHMETED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM WATER SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELINTHARY DECREE AND MOTICE OF AVAILABILITY.

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	DINE	5:	USR_CE	EPT OF	INTE	RIDR	BLIRE	AU D	FLA	ND M	IGHT:)				
			PO BOX				MT		5910	7						
	PURP	SE.	(USE):	AIFDFI	FΕ											
	SOURI	E:		UNNAME SOURCE	D TRI	BUTAR • SU	Y OF RFAC	ALK E WA	ALI TER	CREE	K					
*	PRIO	IIY.	DAIE:	DECEMB TYPE 0	ER 31 F HIS	, 194 TORIC	O Pal R	IGHT	: U	SE						
	ELDY.	RAI	E:	NO FLO THIS O						D FE	OR T	HIS U	SE FR	DM		
	UDLUI	Œ:		4	.21 A	F										
	PERI	0_0	E_USE:	JANUAR	10 Y	TO DE	CEME	ER 3	11							
	EOIN:	LDE.	DIVER	IDN_86	D_BEA	NS_DE	DIL	ERSI	י עם:							
			1	DI_BLK	QIR	_SEC_	SEC.	IVP.	BGE_	COUN	JIY_			DEBUS		
	01				SW	SENU	05	31N	37E	UALL	.EY			DAM		
	RESE	ZUDI.	B۱													
					OIE	_SEC_	SEC_	IVE_	BGE_	COUL	JIY_					
	01	ONS	TREAM		SW	SENU	02	31H	37E	UALI	LEY					
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			808	ES		LDI	BLK.	01	R_SE	:c:	SEC_	_I¥P_	_BGE_	_CDUMI	Y	
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	REDO	BKS:														
		711	E 401E										^00			

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/99 PRGE 3,540

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIR

WRITERERIGHTENUMBERE400s-W-077292-00s(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077291-00, W077292-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWIRD DURING ITS EXAMINATION OF THIS WATER RIGHT CLATH. THESE ISSUES HAY REHAIN LIMRESOLVED IF NO DEJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS TRUE IS A GUESTION AS 10 THE UNITED THE CHRESTON DRAINAGE
> REA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE
> MINITARY SUPERFEE COURT STATED: "IT IS CLEVE THEREFORE
> THAT UNDER MONTARY LAW BEFORE 1973, NO APPROPRIATION
> RISHT WAS RECOGNIZED FOR RECREATION, FISH, WHO WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT VITH OTHER CLAIMS IN THE BASIM. FOR EXHMPLE, COMPARE PRIORITY DATES, FLOW BRIES, VOLUMES, OR ACKES TREGATED. ALSO, YOUR WATER RIGHTS IN ADJUINING BASIMS OR SUBBASIMS AND WELL AS BEING SUBJECT TO WHATER RIGHTS IN ADJUINING BASIMS OR SUBBASIMS AND WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YIURW WATER RIGHT MAY BE SUBJECT TO INDIMM RESERVED AND FLORERI RESERVED WHITE RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOLLMANT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AUGUSTALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF SEE GERENI FIRDINGS OF FACT AND CONCLUSIONS OF LAW FIRE FIRTHER EXPLANATION OF FOUR CLINING WHERE RIGHT. THESE FIRDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALIABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-320 (WITHIN MONTAME ONLY) OR 1-406-586-384, OR BY WATING TO P. C. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PRGE 3.541

PRELIMINARY DECREE RILK RIVER BELOW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK BRISTN 400

RESTRACT OF WATER RIGHT CLAIM

WATERERIGHT INUMBERS 4002-0-077293-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

DIMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT)
PO BOX 36800

MT 59107

BILLINGS
PURPOSE (USE): WILDLIFF

SOURCE: UNMANED TRIBUTARY OF ELLSWORTH COULEE

PRIDRITY DATE:

FLOW RRIE:

UCH LINE:

PERIOD_DE_USE:

POINT DE DIVERSION AND MEANS DE DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

O1 NWSN 14 31N 37E VALLEY DAN

RESERVOIR:

PLACE DE USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

TREATMENT OF THE COMPLEX CONTROL OF THE CORP. FOR THE COMPLEX CONTROL OF THE COMPLEX CONTRO

* THE DHRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED * AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DELREE AND MOTICE OF AUNITABILITY."
LUMLESS DESCREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-233, MONTANA CODE ARMOINED.)

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR LAINED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS IMPLICATED IN THE DOCUMENT ENTITLED "FOUTIE OF ENTRY OF PRELITINARY DEFCREE PAID NOTICE OF AUAILABLITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-800-624-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 800 879, 802EMAN MT 59771-0879.

03:31/95 PRELIMINARY DECREE PRICE 3,542 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 BRSIN 400 RESTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-0-077294-00

**** THIS WATER RIGHT CLAIR HAS BEEN TERMINATED *****

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO BOX 36800

59107 eT.

PLIRPOSE (USE): STOCK

SOURCE: UNNAMED TRIBLITARY OF ELLSWORTH COLLLEE

PRIORITY DATE:

FLOW RAIE:

UCLUME:

PERIOD OF USE:

POINT OF DIVERSION AND HEARS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY **HEANS**

NWSW 14 31N 37E URLLEY DOM

RESERVOIR:

O1

PLACE OF USE FOR STOCK :

REMORKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED * AS THE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT USJECTIONS OF THE MELLORING IN THE PROCURS SOUTHER IN THE DOLUMENT OF THE SOUTHER IN THE DOLUMENT OF THE STREET OF THIS OF THIS CHART DECREE AND NOTICE OF ANGLABILITY."

UMLESS OBJECTED TO DE CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ASSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROLECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MOTIFMS ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN HT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

RESTRACT OF WATER RIGHT CLAIR

WATERERIGHT SHUPBERS 4002-W-077295-00

THEORIGHT HOTTER

YOUR WITER RIGHT AS SHOWN ON THIS RESTRECT MAY HAVE CARRIEDE FROM YOUR WATER RIGHT AS CLEATED ON MEMORE. AN ESTERISK OIL HAS BEEN PLACED NEXT TO EACH TIE AND LITER CHARGED BY THE DEPRITHENT OF HATLING, RESOLUTES AND CONSERVATION CONST. OLIVING THE EXAMINATION PROCESS. THESE CHARGES ARE AUTHORIZED BY THE MOTHEM HATER COURT OR THE MATER RIGHT CLAIM EXAMINATION RILES AS ADOPTED BY THE MOTHEMA

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECKEE AND MOTICE OF MAILABILITY." BULESS GENETED TO BY CALLED IN ON MOTION OF THE MONTHAN ANTER COURT IN THIS DECKEE, THE ELEMENTS OF THIS CLARKED WHITE RIGHT WILL APPEAR IN THE FINAL DECKEE AS SHOWN ON THIS RESTRICT. (SEE SECTION 85-2-233, MONTHAN EXCE ARMOTRIED.

DMNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO BOX 36800 BILL INGS MT 59107 PURPOSE (USE): WILDLIFE SOURCE : UNMANED TRIBUTARY OF HALL COULEE SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: RUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: UCLLINE : 7.60 AF PERIOD LIF_LISE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOI CLK OIR SEC SEC IMP RGE COUNTY TEBUS 01 SWNESW 15 31M 37E UALLEY DAH RESERVOIR: QTR_SEC_SEC_INP_RGE_COUNTY_____ 01 ONSTREAM SWNESH 15 31M 37E UALLEY * PLOCE_DE_USE_EDR_WILDLIEE: ACRES LOI BLK DIR SEC SEC IMP, RGE COUNTY WENESW 15 31N 37E URLLEY 001

REMORKS :

THE WOTCR FIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SHYE RIGHT. THE USE USE THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,544

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOD MIJSB ABSTRACT OF WATER RIGHT CLAIM

WATERWRIGHT SMURBERS 4002-W-077295-00s (CONTINUED)

PENDRICS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO MITERIATE AND EXCHANGE THE USE (AMPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. W077295-00, W077296-00-

THE FOLLOWING ISSUES WERE IDENTIFIED OF THE DIREC DURING ITS EXAMINATION OF THIS WATER RIGHT LINIA. THESE ISSUES MAY REMAIN LAWRESQUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBOOM DRAINAGE AREA, 238 MONT. 343 (1980) ("HE BERN LAKE COSE) THE MONTANN SUMBERS COURT STATED! "IT IS CLEAR THEREFURE THAT UNDER NOW! AND BEFORE 273, NO APPROPRIATION FOR THE STATEMENT OF TH

A BETTER UNDERSTANDING OF YOUR CLRINED WATER RIGHT CAM BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRSIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES I PRIGATED. ALSO, YOUR WATER RIGHTS IN ADJILITING FASINS OR SUBBASIMS AS WEL! AS BEING SUBJECT TO UNHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO IT ZMOIMM RISERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS ON DE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF LINKY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE SEMERAL FINDINGS OF 19CT 990 CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR DIRTHRY WHICH RIGHT. THESE FIRENDS IM BE FOUND AS INDICATED IN THE OCCUMENT HITLED WHITE OF FRIEND OF FREIGHT AND MOTICE IF AND THE PROBLETY. "IF YOU MEET DEJECTION FORMS, OR MADE QUESTIONS RECUIT WHITE COURT PROCEDURES BY CHARLES 12 YOUR RIGHT, YOU CAN CONTROL THE WHITE COURT BY CALLING 1-BOOD-624-3270 (WITHIN NOWTHAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 679, BOZEMAN NY 59777-0679.

C3/31/95 PRELIMINARY DECREE PRELIMINARY DECREE PRICE 3,545 BILK RIVER BELDW WHITE RIFER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLIMBERE4002-W-077296-00

IMPORTANT NOTICE

YOUR WATER RIGHT SS SHOWN ON THIS RESTRECT MAY HAVE CHEMIES FROM YOUR WATER RIGHT AS CHAIRED OR ARRIBODE. MI ASSERTSK (2) HAS BEEN PLACED MENT TO EACH ITEM CHAMBED BY THE DEPARTMENT OF NATURAL RESOURCES AND COMPSENSITION CONSC. DURING THE EXMINISTION PRODUCESS. THESE CHAMBES HE RUTHURIZED BY THE MONTHMAN WATER COURT OF THE MONTHMAN WATER ADMINISTRATION FROM THE MONTHMAN WATER ADMINISTRATION FROM THE MONTHMAN WATER ADMINISTRATION FROM THE MONTHMAN WATER THE MONTHMAN WATER ADMINISTRATION FROM THE MONTHMAN WATER ADMINISTRA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

M. El	IIILED MOIICE OF ENTRY OF PRELITIMERY DECREE AND MOTICE OF AVAILABILITY." LESS CARLETED TO OR CALLED IN ON MOTION OF THE MONTHAM WO'LR COURT IN THIS CREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS MOSTRATE. (SEE SECTION 65-2-23), MONTHAM CODE ANOTHRED.)
	DWMES: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PD BDX 36800
	BILLINGS MT 59107
	PURPOSE_LUSE2: STOCK
	SOURCE: UNMANMED TRYBUTARY OF HALL COULEE SOURCE TYPE: SURFACE WATER
	PRIORITY DATE: RUGUST 24, 1936 TYPE OF MISTORICAL RIGHT: USE
	ELOW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
	UTILUTE: .80 AF
	PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31
x	POINT OF DIVERSION AND MEANS DE DIVERSION:
	LCI_BLK_QI3_SEC_SEC_IMP_RGE_COUNTY
	O1 SWMESW 15 31H 37E VALLEY DAM
	RESERVOIR:
	OIR_SEC_SEC_IMP_RGE_COUNTY
	O1 DHSTREAM SWNESW 15 31N 37E VALLEY
=	PLACE OF USE FOR STOCK:
	OCRESLDI_BLKQIR_SECSECIMP_RGE_COUNTY
	OO1 WENESW 15 31M 37E VALLEY
	REDORKS:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95
PRELIMINARY DECREE
PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BRISTIN DESCRIPTION

ARSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:-V-077296-00:(CONTINUED)

REPARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077295-OO, W077295-OO.

THE ONC EMPRESSION OF THIS CLAIM FOUND IN SIGNIFICANT FACTS,

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING DE YOUR CLAIMED WHER RIGHT CAM BE DSTAIMED BY COMPAINE OF YOUR RIGH WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, DUPAGE PRIDRITY DATES, FLOW RATES, UDLLUMES, OR ACCES TRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN MOJICHING BRSINS OR SUBBRISHS OR WELL AS BEING SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED HAD FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED HAD FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MCTICE OF ENTRY OF PRELITINARY DECREE RIO NOTICE OF ANALISMISTITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOLING AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AUAILABILITY." IT YOU MEED OBJECTION FORMS, OR MANUE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMGES TO YOUR RIGHT, YOU ORN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HONTANA CNLY) OR 1-406-586-4964, OR BY WRITING TO P.O. 80% 879, BUZERAN MI 59771-0879.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRIN 200

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERSRIGHT ENUMBERS 4003-W-077297-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) MAS BEEN PLACED MEXT TO EACH ITM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CLASEWATION CONCC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTANA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF EMTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

UNLESS GBJECTED TO OR CRILED IN ON HOTION OF THE MONTHAN WHIER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE RS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800
BILLINGS MT 59107
PURPOSE (USE): WILDLIFE
SDURCE: UNMAMED TRIEUTARY OF BLACK COULEE SOURCE TYPE: SURFACE WATER
* PRIDRITY DATE: DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE
FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
VOLUME: 1.87 AF
PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
* PDINI OF DIVERSION AND MEANS DE DIVERSION:
LOT BLK OTR SEC SEC TWP RGE COUNTY MEGNS
O1 NWMENE 24 31M 37E VALLEY DAM
RESERVOIR:
QIR_SEC_SEC_IMP_RGE_COUNTY
O1 DHSTREAM NUMBER 24 31M 37E VALLEY
* PLOCE_DE_USE_EDB_WILDLIEE:
BCRE5LOI_BLKQIR_SEC_SEC_IVP_RGE_COUNTY
001 NWNENE 24 31H 37E UALLEY 002 SWSESE 24 31H 37E UALLEY
REMARKS:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03-31/95 PRELIMINARY DECREE PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ARCHBOT BESTM 400 ARCHBOT BESTM 400

WATERERIGHTENUMBERE400E-W-077297-001(CONTINUED)

REMARKS CONTINUED:

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* ī * * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. MO77297-00, MO77298-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLATHED RIGHT. IN THE MATTER OF THE DERROWN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEEN LAKE CASE) THE MONTAINA SUPREME COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDER MONTAINA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECRENTION, FISH AND UNICLIFE, EXCEPT THROUGH A MURPHY RIGHT STRUE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE ABSIN. FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW PATES, UDLUMES, OR ACRES TRETATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, OUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LIGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF RIFERY OF PRELIMINARY DETREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-586-3270 (WINTEN MONTHAM BLK) OF 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95

PRELIMINARY DECREE PAGE 3,549 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 89531, 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077298-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHEMICS FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*2) HAS BEEN FLACED MEXT TO EACH TICH CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONRCL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHANA WATER COURT OR THE WATER RIGHT CLAIR EXAMINATION RULES AS HOLD TED BY THE MONTHANA SUPREME COURT.

UNL	ITLED = ESS OBJ REE, TH	NOTICE (ECTED TO E ELEMEN	FILED ACCOR OF ENTRY OF O OR CALLED OTS OF THIS OBSTRACT. (PRELII IN ON CLAIM	INA HOT D V	RY DEC ION OF ATER R	REE F THE IGHT	HD NO HONTE VILL	TICE WA WA APPEA	DF AL ITER (IR IN	AILABIL OURT IN THE FIN	ITY.# THIS AL DECREE
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	SOURCE		UNNAMED TRI					.EE				
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	FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.											
	YOLUDE:		.80 (9F								
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l	BEDORK	Ş ı										

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,550

PRELIMINARY DECREE PAGE 3,550 MILK RIVER BELOW MMITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN GOO ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077298-00s(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077297-00, W077298-00.

THE DNRC EXPANIANTION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OATES, FLOW RATES, UDURES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BRSINS OR SUBBRSINS OR SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF FRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ROTICE OF ENTRY OF PRELININARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BUX 879, BOZEMAN HT 59771-0879.

PRELIMINARY DECREE

HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400

ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400m-W-077299-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CRIMED OR AMENDED. AN ASSECTISK CX) MAS BEEN PLACED MEXT TO EACH TITAL CHANGED BY THE OPPRETMENT OF MAINTAIL RESOURCES AND CHANGENATION FOR CHARGO WINTER THE EXAMINATION PROCESS. THESE CHANGES ARE RUTHRIZED BY THE MONTHAM ANTER COURT OR ME, WATER RIGHT CLRIM EXAMINATION RILES AS ROOPTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY." UNLESS GUBLETED TO DR CALLED IN NOTION OF THE MONTHAW MATER COURT IN THIS CLAIMED WATER RIGHT WILL APPER IN THE FIRM, DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23, NONTAINS CODE ANNOTATES.)

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 368000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SQURCE:

ALKALI CREEK SOURCE TYPE: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER SEEPAGE INTO THE BOTTOM OF EACH PIT.

* PRIORITY DATE: DECEMBER 31, 1962 TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW_RATE:

UDLUME:

-38 AF

PERIOD DE USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MERNS OF DIVERSION:

	LOI_BLK	_QIR_SEC_SEC_I	WP_RGE_COUNTY	BEANS							
01 02 03 04 05		SENENU 26 3 SENENU 26 3 SENENU 26 3	31N 37E VALLEY 31N 37E VALLEY 31N 37E VALLEY 31N 37E VALLEY 31N 37E VALLEY	PIT PIT PIT PIT PIT							
RESE	BESERVOIR:										
		_OIR_SEC_SEC_I	TMS_BCE_COUNTY								
01	DHSTREAM	SWNENW 26 3	31N 37E VALLEY								
	RESERVOIR/LAKE NA	AME: PLIGHT RE	SERVOIR								
50	ONSTREAM	SWNENW 26 3	31N 37E VALLEY								
	RESERVOIR/LAKE NE	AME: PLIGHT RE	ESERUOIR								
03	ONSTREAM	SENENW 26 3	31N 37E VALLEY E	15							

03/31/95 PAGE 3,552

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT ENUMBER 2400 E-W-077299-002 (CONTINUED)

RESERVOIR CONTINUED:

RESERVOIR/LAKE MAME: PLIGHT RESERVOIR

04 DISTREAM SEMENW 26 31H 37E URLLEY

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

OS DISTREAM NEMERN 26 31N 37E VALLEY

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

 001
 SWNENN
 26
 31 M
 37E
 URLLEY

 002
 SWNENN
 26
 31 M
 37E
 URLLEY

 003
 SENENN
 26
 31 M
 37E
 URLLEY

 004
 SENENN
 26
 31 M
 37E
 URLLEY

 005
 KENENN
 26
 31 M
 37E
 URLLEY

REMORKS:

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*

THE POINT OF DIVERSION AND PLACE OF USE CONSISTS OF FIVE PIT RESERVOIRS.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LUNRESQLUED IF NO DBJECTIONS ARE FILED.

THERE IS A QUESTION AS 10 THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBOOM DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT SCLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTIZED FOR RECREATION, FISH AND WILCLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

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A BETTER UNDERSTANDING OF YOUR CLATTED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLATMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OFFES, FLOW RATES, UDULTES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINIANG BASINS OR SUBBASINS AS VELL AS BETTEN SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

PRELIMINARY DECREE 03/31/95 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 3,553 BASIN 400 BRSIN 400 BRSTROCT DE MATER RIGHT CLAIM

WRITERERIGHTENUMBER: 400: - W-077299-00: (CONTINUED)

COMPLETE DETAILS REGARDING THE DARC EXPRINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF EMBRY OF PRELITMENT DEDREE AND MOTICE OF AMPLIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT WHILLED "MOTICE OF ENTRY OF PRELININARY DETRE ENTER ONLICE OF AVAILABLITY." IF YOU NEED OBJECTION FORMS, OR MANE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU ON CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BON 879, BOZEMAN MT 59773-0879.

03/31/95 PRGE 3,554

PRELITINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077300-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACK (2) HAS BEEN PLACED MEXT TO ENCHANGE OF WITE CEPARATHENT OF MATURAN. RESOURCES AND CONSERVATION (DWAC) DURING THE EXAMINATION PROCESS. THESE CHANGES MAKE MATURALED BY THE MONTHAM WATER COURT OF MEY MATER RIGHT CLAIM EXAMINATION RULES AS ROOPED BY THE MONTHAM WATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE MAY MOTICE OF AUAILMBILITY."
UNLESS BUSICIED TO DR CALLED IN MINDION OF THE MONTHMA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL OCCREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION MST—2-23), MONTHMA COUR ENHOLATELY.

DMMSERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO 80% 36800
BILLINGS MT 59107

PURPOSE_(USE): STOCK

SOURCE:

ALKALI CREEK SDURCE TYPE: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER SEEPAGE INTO THE BOTTOM OF EACH PIT.

* PRIORITY DATE: DECEMBER 31, 1962 TYPE OF HISTORICAL RIGHT: USE

ELDW_RRIE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

UOLUME: .62 AF

PERIOD DE USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION BND DEBNS OF DIVERSION:

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01 02 03 04 05	SWNEHU 26 31M 37E UALLEY SWNEHU 26 31M 37E UALLEY SENEHU 26 31M 37E UALLEY SENEHU 26 31M 37E UALLEY KENEHU 26 31M 37E UALLEY KENEHU 26 31M 37E UALLEY	PIT PIT PIT PIT PIT									
EESE	RESERVOIR										
	OIR_SEC_SEC_IMP_BGE_COUNTY										
01	ONSTREAM SWNENU 26 31N 37E UALLEY										
	RESERVOIR/LAKE NAME . PLIGHT RESERVOIR										
50	ONSTREM SWHENW 26 31M 37E UALLEY										
	RESERVOIR LAKE MAME: PLIGHT RESERVOIR										
03	ONSTREAM SENENW 26 31N 37E VALLEY	15									

03/31/95 PRGE 3,555

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077300-00x(CONTINUED) RESERVOIR CONTINUED:

RESERVOIR/LAKE MAME: PLIGHT RESERVOIR

04 ONSTREAM SENERW 26 31M 37E URLLEY

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

OS DISTREAM NEMERO PE BIN BYE URLIEV

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

* PLACE DE USE FOR STOCK :

	HUKE5	LUI_BLK	HIK SEL	_366_	_102_	_Kiik_	_LUURIY	_
101 102 103 104	06563		SUMENU SUMENU SEMENU SEMENU	26 26 26 26	31N 31N 31N 31N 31N	37E 37E 37E 37E 37E	UALLEY UALLEY UALLEY UALLEY	_
XO5			NENENU	56	ЭÌН	37Ē	URLLEY	

REMORKS:

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THE POINT OF DIVERSION AND PLACE OF USE CONSISTS OF FIVE PIT RESERVOIRS.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILITIPE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IM_ACCORD WITH HISTORICAL PRACTICES. W077299-00, W077300-00.

THE DNRC EXAMINATION OF THIS CLRIM FOUND NO SIGNIFICANT FACTS, # DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLIMES IN THE BASH. FOR EXHIPLE, COMPARE PRIORITY DATES, FLOW RATES, UCULVES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHT AND JOINING BASINS OR SUBBASINS AS WELL AS BETHAN SUBJECT TO THER RIGHT AND YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT MAY BE SUBJECT.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUDILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY * IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR (INHOES ID YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-320 (WITHIN MONTAINA ONLY) OR 1-406-586-4364, OR BY WAITING ID P.O. BOX 879, BOZEMAN MT 59771-0879.

PAGE 3,556 HILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077301-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRETISK (#) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE CEPARTMENT OF MATURAN, RESOURCES AND CONSERVATION (OWAC) DURING THE EXAMINATION PROCESS. THESE CHANGES AND ENTRYING BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RANGLABILITY." UNLESS OBJECTED TO OR CRALED IN ON MOTION OF THE MONTAMA MATER OF A PE

С	REE, THE	ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANMOTATED.)									
	DWNERS:	USA COEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 368000 MT 59107									
	PURPOSE_CUSE2: STOCK										
	SOURCE :	UNNAMED TRIBUTARY OF CAMPON CREEK SOURCE TYPE: SURFACE WATER									
	PRIORITY DATE: DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE										
	ELDW_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DHSTREAM RESERVOIR.										
	UDLUME:	.79 AF									
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31										
	POINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION:										
		LOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTYMEBUS									
	01	N2SWSE O4 31M 3BE UALLEY DAM									
	RESERVO.	₿ŧ									
		QIR_SEC_SEC_IMP_RGE_COUNTY									
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	PLOCE_D	_USE_EDR_SIDCK:									
		BCRESLOI_RLKQIR_SECSECIWP_RGECOUNTY									
	001	M2SWSE 04 31M 38E UALLEY									
	BENOBES										
	n	NE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NLIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT NE SEVERN PURPOSES DOES NOT INCREASE THE EXIENT OF									

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03/31/95 PAGE 3.55?

PRELIMINARY DECREE MILK RIVER BELOW WHITEWRIER DECEK INCLUDING PORCUPINE CREEK SPISH 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077301-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RISHT TO ALTERNATE AND EXCHANGE THE USE (PURFOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077302-00, W077302-00.

* THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE MATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT UITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UCLURES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJUINING BASIMS OR SUBGRSINS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REQUEENED AT THE OPFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND "DITTLE OF RUBLISHELITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BY STRILLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUAILABILITY." IF YOU NEED DBJCCTICN FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZIMAN MT 59771-0879.

O3-31/95 PRELIMINARY DECREE PAGE 3,558 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BESIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077302-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR RHEMOED. AN ASSERBISK (2) MAS BEEN MICHE MEXT TO EACH ITEM CHANGES BY THE PROPERTY OF MATUREN, RESOURCES AND CONSERVATION (OWNED DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHAN WATER COURT OF ME WATER KIGHT CLAIM EXPENDIATION RILES AS BOOTED BY THE MOTHANGE SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

DE	CREE, THE	ELEMENTS OF TH	IS CLAIMED	WATER RII	SHT WILL	AMA WATER COURT IN THIS APPEAR IN THE FIMAL DECREE NTAMA CODE RANGTATED.)	
	DWNERS:	USA (DEPT OF 1 PO BOX 36800 BILLINGS	NTERIOR BUR)	
	PUBPOSE_	(USE): WILDLIFE	:				
	SOURCE		TRIBUTARY D		CREEK		
z	PRIDRITY	_DATE: DECEMBER	31, 1947 HISTORICAL	RIGHT:	JSE		
	ELDW_REI	E: NO FLOW THIS ON:	RATE HAS BE TREAM RESER		ED FOR T	HIS USE FROM	
	VOLUME:	4.	21 AF				
	PERIOD_D	E_USE: JANUARY	O1 TO DECEM	BER 31			
*	FOTRI DE	DIVERSION OND	DEANS DE DI	VERSION:			
		LOI BLK	OIR_SEC_SEC	_IVE_RGE	_CDUNIY_	BEBUS	
	01		N2SWSE 04	31N 38E	UALLEY	DAM	
	RESERV01	IB+					
			QIR_SEC_SEC	IME_BGE	_CDN41X_		
	01 DMS	STREAM	NESWSE 04	31N 38E	VALLEY		
*	PLOCE_DE	LUSE_EOR_WILDL	IEE:				

001 BEDORKS .

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

NZSWSE 04 31N 38E URLLEY

BCRES LOT BLK OIR SEC SEC IMP RGE COUNTY

03/31/95 PAGE 3,559

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4000x-W-077302-DOX(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077301-00, W077302-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS REMAINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MRY REMAIN LAWRESOLUED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS THERE IS A QUESTION AS TO THE WALLDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE CEASONN DRAINAGE AREA, 234 MONT. 343 (1988) CTHE BEAN LAKE CASE) THE MONTHANA SUPPERE CLUBT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLIEF, EXCEPT IMPOUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING A BETTER UNDERSTROUTED OF YOUR CLAIMED WHITER RIGHT COME BOTTAINED BY COMPARISH VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UCLUMES, OR SORES IRRIGATED. RESO, YOUR WATER RIGHT MAY BE SUBJECT TO UNDER RIGHTS IN ADJUINING BASINS OR SUBBBASINS AS BELL AS BELL TO TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERIR, MESSERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIARRY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RUALLAGILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE MATER COURT BY CALLING 1-800-624-3270 (WITHIM MONTAMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P. BOX MAT AND MET STATEMENT OF THE MATER COURT BY CALLING TO P. BOX MAT AND MET STATEMENT OF THE MATER COURT BY CALLING TO P. BOX MAT AND MET STATEMENT OF THE MATER COURT BY CALLING TO P. BOX MAT AND MET STATEMENT OF THE MATER COURT BY CALLING TO P. BOX MATER COURT P.O. BOX 879, BOZEMAN HT 59771-0879.

03/31/95 PRGE 3,560

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077303-DO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONIC.) DURING THE EXPAINANTION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OF THE WATER TOBHT CHAIT EXPAINANT RILES AS ADOPTED BY THE MOTTANA SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANALIABILITY." UMLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHANN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRICT. (SEE SECTION 85-2-233, MONTHAN CODE REMOTATED.) DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS 59107 PURPOSE_CUSE: WILDLIFE ≠ SOURCE: UNMAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: RUGUST 24, 1936
TYPE OF BISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW ROIE: THIS ONSTREAM RESERVOIR. VOLUME: 16.21 BE PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTE SEC SEC THP BGE COUNTY MEANS (GOUT) 7 HWSWSW D6 31N 38E UALLEY DAM RESERVOIR . QT9_SEC_SEC_IMP_RGE_COUNTY O1 DNSTREAM NWSWSW 06 31N 3BE URLLEY RESERUDIR/LAKE NAME: UR 4 RESERUDIR CAPACITY: 17.0 BC-EI DAM HEIGHT: 13 EI SURFACE AREA: 5.30 BCRES SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE_DE_USE_FOR_WILDLIFE: OCRES LOT BLK OTR SEC SEC IMP RGE COUNTY E2NESE 001 01 31H 37E URLLEY 200 NESESE O1 31N 37E VALLEY 003 CEOUTS SHNWSU 06 31N 38E UALLEY N 31N CTUBBD NVSVSV 06 UALLEY

03:31/95 PAGE 3,561

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077303-00x(CONTINUED)

REMARKS CONTINUED:

REMARKS:

* * * *

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAR RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DUES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES.

THE FOLIAMINE ISSUES WERE IDENTIFIED BY THE DIRECTORY IN ITS

E EXPRINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN IN UNRESHIED IT HOU DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UPALIDITY OF THIS CHAIRED RYCHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 23 MONT. 343 (1986) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED! "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFF, EXCEPT THROUGH A RUMPAY RIGHT STATUE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN HE BASIN - FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ACRES TRIGATED - ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO THER RIGHTS IN ADJUSTING BESINS OR SUBBASINS AS VELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DOFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTIFIED "MOTION OF PRELIMINARY DECREE AND NOTICE OF RIVALINARILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DETER AND NOTICE OF AUGILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 897, BOZEMAN MT 59771-0079.

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT # YLLTHBER#400#-W-077304-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WOTER RIGHT AS CLAIMED OR AMENDED. AN ASTRAISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHAMBED BY THE DEPARTMENT OF HATURAL RESOURCES HAVE CONSEQUENTIAL HOUSE, DAILING THE EMAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMAILANTON ROLES AS BOOPTED BY THE MONTANA OF THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMAILANTON ROLES AS BOOPTED BY THE MONTANA OF THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMAILANTON ROLES AS BOOPTED BY THE MONTANA OF SUPREME COLURY

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO DAY CRILLED IN DIN HOTION OF THE MOTIVAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS MESTRACT. (SEE SECTION 65-2-23), MONTANA CODE ARMOTATED.

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PO BOX 36800 MT 59107 PURPOSE_CLISED: STOCK UNNAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK * SOURLE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: AUGUST 24, 1936 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RBIE: .79 RF UOLUME: PERIOD DE_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION SHO MEANS OF DIVERSION: LOT BLK OTR SEC SEC INP RGE COUNTY MERNS ל נדטפפט NWSWSW OF 31H 38E VALLEY DΩ# 01 RESERVOIR: OTR SEC SEC IMP RGE COUNTY 01 ONSTREAM NWSWSW OF BIN BRE URLLEY RESERVOIR/LAKE NAME: UR 4 RESERVOIR rapacITY: ____17_0 ac-ft Dam HEIGHT: 13 FT SURFACE AREA: 5.30 ACRES SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE DE USE EOR SIOCK : ACRES LOT BLK OIR SEC SEC IMP RGE COUNTY EZNESE NESESE 01 01 06 06 31N 31N URLLEY 37E 37E 38E 001 500 4 16 UALLEY (GBUT) SUNUSU 003 (GRUT)

PRELITINARY DECRE PAGE 3.56 MILK RIVER BELOW WHITEVARE CECEK INCLUDING PORCUPINE CREEK ABSIN 400 ABSIRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077904-00#(CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUREN, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE ONCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, **
DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLATMED WATER RIGHT CAN BE OBTAINED BY COMPRETING YOUR RIGHT WITH OTHER CLAIMS IN THE BASEN. FOR EXAMPLE, COMPRE PRIDATEY DATES, FLOW RATES, UNLIVES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN JOINTHING BASINS OR SUBBRSINS AS LELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXPMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELINTHARY DECREE AND NOTICE OF ROMENTIALS IN

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF INTRY OF PRELIMINARY OERER AND NOTICE OF AUGUSTALIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WHERE COURT BY CALLING 1-BOO-624-3270 (VITHIN HONTING DID!) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZERNA MT 55771-0879.

03/31/95

PRELIMINARY DECREE PAGE 3,564 MILK RIVER BELOW WHITEWITER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4003-W-077305-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHORGES FROM YOUR WATER RIGHT AS CLARING OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH IEM CHANGED BY THE OFFARTHENT OF MATURAL RESOURCES AND CONSERVATION CONCE) DURING THE EXAMINATION PROCESS. THES CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM ASSUMPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUAILABILITY." UNLESS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIVARN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BRETRACT. (SEE SECTION BS-2-233, MOTIANS CODE ANNOTATED.

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	OWNERS:		36B00			AU DE S		MGHT))					
	PURPOSE	(USE):	STOCK											
	SOURCE:		UNNAMES SOURCE	TRIGUTAR	Y OF RFAC	DF CROOKED CREEK ACE WATER								
	PRIDRITY_DATE: AUGUST 09, 1963 TYPE OF HISTORICAL RIGHT: USE													
	ELOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.													
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	PERIOD_	DE_USE:	JANUAR	Y 01 TO DE	CEMB	ER 31	l							
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03/31/95 PRGE 3,565

PRELIMINARY DECREE HILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCLIPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4000=-W-077305-00=CCONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE RING EXCHANGE THE USE (FURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077305-00. W077306-00.

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, # DATA, OR ISSUES TO REPORT TO THE MATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTRINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, YOUNGS, OR ACKES IRRIGATED. ALSO, YOUR WATER RIGHT BY A BUSISCT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING BUSISCT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MY WE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REFUED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF SWALLABILITY."

SEE BEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLE OF SHATE OF PRELIMINARY DECREE AND NOICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COAT PROCEDURES OR CHANGES TO YOUR TORT, YOU ONE CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHM DNLY) OR 1-406-586-4354, OR BY WRITING TO P.O. BCX 879, BOZEANM MT 5977-14679.

03/31/95 PRGE 3.566

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIW 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002 -- W-077306-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOUSES FROM YOUR WATER RIGHT AS CLAIMED ON MYEMPEDED. AN ASSERTISK COLD HAS BEEN PLACED MEXT TO ENCH ITEN CHAMBEROWER HAVE TO SHOW IT FAIRNESS ARE MAY THE WORK OF THE WORK OF THE WATER ASSERTING THE WORK OF THE WORK O

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF EMTRY OF PREINTIMARY DECREE AND MOTICE OF AUAILMBILITY."
UNLESS OBJECTED TO DO CALLED IN MOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMINS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SACOMEN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MOTHAN CODE ANNOTATED. DMINERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) RTI L THES MT 59107 PURPOSE_(USE): VILDLIFE SOURCE: UNINAMED TRIBUTARY OF CROOKED CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: AUGUST 09, 1963
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW RATE: THIS ONSTREAM RESERVOTE. **VOLUME:** 3.71 AF PERIOD DF_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS 03 005 MERWSE 13 31M 38E UALLEY RESFRUCIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NEMUSE 13 31M 38E URLLEY * PLACE OF USE FOR WILDLIFE: __BCRES_____LOI_BLK__DIR_SEC_SEC_IMP_RGE_COUNTY____ 001 NENWSE 13 31N 38E URLLEY

BEDARKS:

03/31/95 PAGE 3,567

PRELIMINARY DECREE

MILK RIVER BELOW WHITEVHIER CREEK INCLUDING PORCUPINE CREEK
BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: - W-0:77306-00:(CONTINUED)

REMARKS CONTINUED:

z

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. MO77305-00. MO77306-00.

THE FOLLOWING ISSES WERE IDENTIFIED BY THE DRIVE DIRING ITS

E EXAMTIMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LUMRESON UPD IF MO BUJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UPALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBOOM DRAINAGE AREA, 28 MINT. 383 (1985) CTHE BERN LAKE CASE) THE MONTHAN SUPPERE COURT STRICT: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN AND SETURE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILLIER, EXCEPT THROUGH AT MURPHY RIGHT STATUTE."

A SETTER UMBERSIANDING OF YOUR CLAIMED WATER RIGHT CAM SE DSTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN HE BASTN. FOR KAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACCES RETIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRISKS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF AUNTLABLILIY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABLLIY." IF YOU MEED DESCRION FORMS, OR HAVE QUESTIONS ABOUT WHER COLAT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLIY.G 1-800-624-3270 (WITHIN MONTHMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879. 80276MN MT 5971-0879.

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03/31/95 PRELIMINARY DECREE PRELIMINARY DECREE PAGE 3,568 HILK RIVER BELOW WHITEWRER CREEK INCLUDING PORCUPINE CREEK BRIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLIMBERE4002-W-077307-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR RMENDED. AN ASTERISK (x) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESURVES AND CONSERVATION CONNEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAWA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAWA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

INLESS OBJECTED TO OR CALLED IN ON HOTTON OF THE MONTHAM WHITER COLOR IN THIS SECRET, THE ELEMENTS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAM COLO ANMOTATED.	
DWMERS: USA (CEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 HT 59107	
PURPOSE_CUSED: STOCK	
SOURCE: UNMAMED TRIBUTARY OF CROOKED CREEK SOURCE TYPE: SURFACE WATER	
* PRIGRITY DATE: DECEMBER 31, 1961 TYPE OF MISTORICAL RIGHT: USE	
ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.	
VOLUME: .79 AF	
PERIOD DE USE: JANUARY O1 TO DECEMBER 31	
* POINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION:	
LDT BLK GTR SEC SEC TYP RGE COUNTY MEANS	
O1 NESENE 14 31H 3BE URLLEY DAM	
RESERVOIR:	
QTR_SEC_SEC_TMP_RGE_COUNTY	
O1 DMSTREAM MESEME 14 31M 38E VALLEY	
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REDORKS :

O3-31/95 PRELIMINARY DECREE PAGE 3,569 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER ARTISHT ANUMBER: 400x-W-077907-00x (CONTINUED)

REMARKS CONTINUED

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RAITERHATE HAG EXCHANGE THE USE (PURPOSE) OF THE WATER IN RCORD WITH HISTORICAL PRECIDES W077307-00, W077308-00.

THE DARC EXAMINATION OF THIS CLAIN FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO PEPORT TO THE WATER COURT.

A SETTER LIMORESTANDING OF YOUR CLETTED WATER RIGHT COM DE OBTATHEO BY COMPARING VOUR RIGHT WITH OTHER CLATMS IN THE BASIN FOR EXAMPLE, COMPARED PRIDRITY DATES, FLOW RATES, LOQUES, OR RCRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS OF MOJULINING BASINS OR SUBBRISTS OR WELL AS BETT SUBJECT TO OTHER RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDICAM RESERVED MAY EFFORM.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS ON BE REFUSED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WOTICE OF CHIRTY OF PRELITINARY DECREE RND MOTICE OF CHIRTIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF DOCUMENT ENTITED "MOTILE OF ENTITY OF PRELIMINARY DECREE AND MOTILE REPORT OF REAL PROPERTY." IF YOU KEED OBJECTION FORES, OR HAUE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOD-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, SOZEMAN MT 59771-0879.

03/31/95 PRGE 3,570

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER ARTISHT ANUMBERS 400 x - W-077308-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHRIGES FROM YOUR WATER RIGHT AS CLAIMED OR RHEMDED. AN ASTERISK (x) MAS BEEN PLACED NEXT TO EACH ITEM CHRISCE BY THE DEPARTMENT OF MARINA, RESOURCES AND CONSERVATION CONFICE DURING THE EXPANSIVATION PROCESS. THESE CHANGES AND RUNTHORIZED BY THE MOTHAM ANTER COUNT ON THE MATER RIGHT CLAIR EXEMINATION RILES AS ADDOTED BY THE MOTHAMA SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING 10 THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTILE OF ENTITY OF PRELIMINARY DECREE AND MOTILE OF AUMILABILITY."
UNESS OBJECTED 10 OF CALLED IN MINITION OF THE MOTITAN WHITE COURT IN THIS DECREE, THE ELERNIS OF THIS CLAIMED WATER RIGHT WILL APPER IN THE FINAL DECREE AS SHOWN ON HIS MOSTRACT. (SE SECTION 85-2-23), MONTHMA CODE HINDISTEN. DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) PD BOX 36BOO 59107 BILLINGS MT PURPOSE (USE): VILDLIFF SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1961 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR. UCILUME: . 21 AF PERIOD_DE USE: JANUARY DI TO DECEMBER 31 * POINT_DE_DIVERSION_AND_MEANS OF DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS 01 NESENE 14 31N 3BE VALLEY DAM RESERVOIR: OIR SEC SEC_IMP_RGE_COUNTY__ O1 DNSTREAM NESENE 14 31N 3BE VALLEY * PLOCE_DE_USE_EDR_WILDLIEE: __BCRES____LOI_BLK__QIR_SEC__GEC__IMP_RGE__COUNTY____ 001 NESENE 14 31N 3BE UALLEY REMORKS:

03/31/95 PAGE 3,571

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLPINE CREEK BOSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077308-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77307-00, W077308-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS

E EXMITMATION OF THIS WHIER RIGHT CLAIM. THESE ISSUES MAY REMAIN

E RESECUED IF NO BRIECTIONS ARE FIFED.

THERE IS A QUESTION AS TO THE UBLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE OF REBOOM DRAINAGE RREA, 234 MUNI. 343 (1980) (THE BERN LARE CRSE) THE MONTAINA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAINA LAW BEFORE 1973, NO APPORTISION RIGHT WAS RECONIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRITE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPAKING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPAKE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. H.SO., YOUR WATER RIGHTS IN ADJINITING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO OHTER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRMLLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS ON BE REUTIVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF AURILITITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER REGHT. THESE FINDINGS CAN BE FOUND AS IMPLICATED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELITINARY DECREE AND VOILCE OF ANALIABILITY. — IF YOU MEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CUNTACT THE WHER CON'T BY CRILING 1-800-624-3270 (WITHIN FIONTAMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN IN 5977-10479.

03/31/95

03-31/95 PRELIMINARY DECREE PAGE 3,572 MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BRSIM 400_____

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077309-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#2) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (OWED) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE NORTHAIN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RILES AS ADDATED BY THE NORTHAIN ASSPECIAL COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY."

Œ	CREE, T	HE ELENE	NTS OF T	LED IN ON MIS CLAIM CSEE SI	D WAT	ER RIG	HT WILL	APPEA	RIN	THE FINE	AL DECR	ΕE
	DWNERS	* USA (DEPT OF	INTERIOR E	UREAL	OF LA	ND MGMT)				
		BILLI	IX 36800 INGS		HT	5910	7					
	PURPOS	E_CUSE2	WILDLIF	E								
*	SOURCE	7		TRIBUTARY			EEK, BRI	USH FO	RK			
	PRIDRI	IY_DOIE:	JULY 14 TYPE OF	, 1941 HISTORIC	L RIG	י דא:	SE					
	ELDW_B	BIE:	NO FLOW	RATE HAS	BEEN ERVOI	DECREE R.	D FOR T	HIS US	E FR	OM		
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	001					SWSES	W 17	311	38E	VALLEY		
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REDORKS:

03/31/95 PRGE 3,573

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PRELIMINARY DECREE MILK RIVER BELDW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077309-002(CONTINUED)

REMARKS CONTINUED:

:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPUSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077309-00. W077310-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWGC DURING ITS

E EXMININTION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNMESCULUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE NATURE OF THE DEARBOOM DRAINAGE AREA, 234 MUNT. 343 (1998) (THE BERN LAKE COSE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT LANGER NOWLAND BEFORE 1973, NO APPORTATION RIGHT WAS RECLOSIZED FOR RECREATION, TISH AND WILDLIFE, EXCEPT THROUGH A BURNHY RIGHT STATUTE."

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A BETTER LANGERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DBIAIMED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW MATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRESING OR SUBBRSING AS UBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY EFERMEN WESTEVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL MESSERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE PIECE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIANCY DECREE AND MOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED MOTITE OF ENTRY OF PRELIMINARY DEFRE AND NOTICE OF AUAIL ABILITY. = IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU ON CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM ONLY) OR 1-406-506-4364, OR BY WRITING TO P.O. BOX 879, BOZERAM MT 59771-30879.

03/31/95 PRGE 3.574

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

MATERIRETENT SHUPBERS 400 x - W-077310-CID

IMPORTANT NOTICE

YOUR WATER RIGHT RS SHOWN IN THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED DR RESIDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO BACH ITEM CONNECS BY THE DEPARTMENT OF HATURAN RESOURCES AND CONSEQUENTION (DWICE) DURING THE EXPRINANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAIN WATER COURT OR THE WATER RIGHT CLAIM EXPERIMENTION RULES AS ADDITED BY THE MONTHAIN AFTER COURT OR THE WATER RIGHT CLAIM EXPERIMENTION RULES AS ADDITED BY THE MONTHAIN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILLED "MOTILE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGUSTUS." BURSS OBJECTED TO GR CALLED IN ON MOTION OF THE MOTIVAGE AUGUST IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SANOWN ON THIS DRASHRACT. (SEE SECTION 85-2-23), MOTIFARD CODE ARMOTATED.

USA CDEPT OF INTERIOR BUREAU OF LAND HIGHT) DWNERS: PO BOX 36BOO MT 59107 PURPOSE_CUSEJ: STORY * SOURCE : UNNAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK SOURCE TYPE: SURFACE WATER PRIDRITY DRIE: JULY 14, 1941 TYPE OF HISTORICAL RIGHT: USE FLDW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS INSTREAM RESERVOIR. UOLIME: PERIOD_DE_USE: JRNUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LDI BLK OIR SEC SEC TWP RGE COUNTY DEBUS 01 SWSESW 17 31N 38E UALLEY DOM RESERVOIR : -----OIR SEC SEC TWP RGE COUNTY 01 OMSTREAM SWSESW 17 31N 38E UALLEY * PLACE OF USE FOR SIDCK, BCRES FOL BER OIB SEC SEC ING BGE COUNTY 001 SWSESW 17 31M 3BE UALLEY

REMARKS 1

PRELIMINARY DECREE 03-31/95 MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPING CREEK BASIN 400

WATERERIGHTENUMBERE400x-W-077310-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERHATE RND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077309-00, W077310-00.

E THE ONNC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER LAMBERSTANDING OF YOUR CLAIMED WATER RIGHT COM DE CORTAINED BY COMPARING VOR RIGHT WITH OTHER CLAIMS IN THE OBSIN. FOR EXAMPLE, COMPARED PRIDEITY DATES, FLOW MATES, UNLIMES, OR ACRES IRRIGATED. M.S.D. YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN AUJUINING BESINS OR SUBMISTION OF WELL AS BETTME SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY EFFORM FOR FIRST AND FOR THE RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY EFFORM THE RIGHT WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS ON BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOLICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF THE ADMILLABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTITY OF PREILININARY DECREE AND NOTICE OF RARIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY CALLING 1-800—624—3250 (1911) HONTANA DALY) OR 1-406-586-364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077311-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OM THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (*) HAS BEEN PLACED NEXT TO BROWN TO THE CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA HER COURT OR THE MATER RIGHT CLAIM EXAMINATION RULES AS ADDRED BY THE MONTANA SUPREHE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "NOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AUMINBILITY."

UNLESS OBJECTED TO OR CPLLED IN ON MOTION OF THE MOTHANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MOTHANA CODE ANNOTATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800 BTI L TNGS 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF UNGER COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DBIE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: UCLUBE: .79 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY TEBUS NWSESW 20 31N 3PT VALLEY 01 DAR RESERVOIR: OIR SEC SEC IMP RGE COUNTY O1 DHSTREAM NWSESW 20 31N 38E VALLEY * PLACE_OF_USE_FOR_SIDEK: ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY 001 HUSESU 20 31N 3BE UALLEY REMARKS:

03/31/95 PAGE 3,577

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077311-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077311-00, W077312-00.

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
DATA, OR ISSUES TO REPORT TO THE WATER COURT

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLUW RATES, UNDLUMES, OR ACRES INFIGURED. ALSO, YOUR WATER RIGHT HAVE BE SUBJECT TO WATER RIGHTS IN ADJUITING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO STHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REDIEWED AT THE OFFICE CLORATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIXIMARY DECREE AND MOISCE OF WALLBELLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILBBILITY." IF YOU NEED OBJECTION FORMS, DO HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RICHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MOTTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, 802ERAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHTANUMBER: 400x-V-077312-00

IMPORTANT NOTICE

YOUR WRIER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CHATTHED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED MEXITO EACH LIEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (DNCT) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE ANIMATICED BY THE MONTANA WATER COURT OF THE MONTANA WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER SUPPRIE COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CHITLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMINISTRATION."

LIMILES DECITED TO OR CRILED IN ON MOTION OF THE MONTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF WILLS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SOMON OF THIS ABSTRACT. (SEE SECTION 65-2-233, MENTRANA CODE ANNOTATED.) DYNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMY 3 PO BOX 36800 BILLINGS 59107 PURPOSE_CLISE) . WILDLIFE UNNAMED TRIBUTARY OF UNGER COULEE SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RAIE : UOLUME: 4.21 RF PERIOD_DE_LISE: JANUARY 01 TO DECEMBER 31 * POINT DE_DIVERSION AND MERMS DE DIVERSION: LOT BLK OIR SEC SEC IMP RGE COUNTY MEBNS.... 01 NWSESW 20 31N 38E VALLEY DAM RESERVOIR : GTR_SEC_SEC_TWP_RGE_COUNTY_ OI ONSTREAM NWSESW 20 31N 38E VALLEY * PLACE DE_USE FOR WILDLIEE . - ACRES LDT BLK OIR SEC SEC TWP RGE COUNTY NWSESW 20 31H 38E URLLEY 001 REMARKS :

03/31/95 PRGE 3,579

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER PICKT CLAIM

WATERERIGHTENUMBERE 400g-W-077312-00g (CONTINUED)

REMARKS CONTINUED:

* * *

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO SUFERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077313-00, W077312-00.

*** THE FOLIAYING ISSUES WERE IDENTIFIED BY THE DATE DUTATION ISSUES SHAPE REGIST CLAIM. THESE ISSUES HAY REMAIN ISSUES HAY REMAIN IN UMBESUADE IF AND OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CARTHED RIGHT. IN THE NATURE OF THE DERRORSH DRAINAGE AREA, 234 MONT. 343 (1988) THE BERN INCE CASE) THE NOWIRHAR SUPPERIE COURT STREET. "IT IS LIERN THREEFORE THAT UNDER MONTAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISK AND VIOLIZE, EXCEPT INCOMING A TURNEY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN GE DETAINED BY COMPARING OVER THE UTIL WITH OTHER CLAIMS IN HE CHASTN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW MATER, UDITES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT NAY BE SUBJECT TO WATER RIGHTS IN ADJUNTING BRISHS OR SUBBRAINS AS WELL AS BETTEN SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATEP RIGHT HAY BE SUBJECT TO INDIAN RESERVED BUSER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DETIC LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITAINSY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATE IN THE DOCUMENT HITLED "PROJECT FOR MOSTLES OF MURIL BRILLIN." IF YOU MEED BRISTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCESURES OR CHANGES TO YOUR RIGHT, YOU ON CONTACT THE WHERE COURT BY CRILLING 1-800-524-3270 CWITHIN HONTANA DRLYD OR 1-406-586-4364, OR BY WRITING TO P.O. BDX 4978, BOZEMAN HI 59771-0379.

PRELIMINARY DECREE 05-31/95 HILK RIVER BELOW WHITEWATER CREEK INCLUDING POPPCUPINE CREEK BISSIN 400

RESTRACT OF WATER RYCHT MATH

WATERERIGHTENUMBER: 4002-W-077313-00

IMPORTANT NOTTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT THAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRIKE C.X.) HAS BEEN PLACED MEXT TO EACH ITEM CHANGES BY THE COMPATIENT OF MAINTAINER, RESOURCES AND COMPRETION (OWAR). DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER ROUNT OR THE WATER RIGHT CLAIM EXAMINATION WILLES AS ROUPTED BY THE MONTHAN WATER RIGHT. SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PREDCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY." UNLESS OBJECTED TO OR CALLED IN MINITION OF THE MOTIMEN WHITE COURT IN THIS DECREE. THE ELEMENTS OF THIS CLRINED WHITE RIGHT VILL APPEAR IN THE FINAL DECREE SCHOOL OF THE MOTIFMENT COLOR EMPORATED.

OMMERS: USA (DEPT OF INTERIOR BUREAU DE LAND MONT) PO BOX 36BOO BILLINGS 59107

PURPOSE_(USE): VILOLIFE

UNNAMED TRIBUTARY OF UNGER COULEE SOURCE

* PRIORITY DALE: DEDT SER 31, 1944 TYF€ DE MISTORICAL RIGHT: USE

NJ FLOW RATE HAS BEEN DECREED FOR THIS LISE FROM ELDW_RATE:

THIS DISTREAM RESERVOIR.

UDI: IME : 2.21 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION :

LOT BLK OTR SEC SEC TWP RIGE COUNTY MEANS Ωı SESENW 29 31N 3RE URITEY RESERVOIR: OTR SEC SEC TYP RISE COUNTY

SESENV 29 31N 38E URLLEY O1 DHSTREAM

* PLACE OF USE FOR WILDLIFE!

__BCRES____LDI_BLK_QIR_SEC_SEC_IMP_RGE_CDUNIY____

001 SESENU 29 31M 385 VALLEY

REMARKS:

03/31/95 PAGE 3.581

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRISTN 600 ABSTRACT OF WATER RIGHT CLAIR

WATERERIGHTENHASERA400x-W-077313-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077313-00, W077314-00.

THE FOLLOWING ISSES WERE IDENTIFIED BY THE DWIRT IN ITS WATER RIGHT ILAM. THESE ISSUES MRY REMAIN # 1 UNNESSIAVED IF MO SZECTIMOS RME FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATER OF THE DEARDDRAN DRAINAGE RACA, 234 MONT. 349 LTGSBC INCREMENT ENGLISHED THE HONGARA SUPREME COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MUNITARA LAW BEFORE 1972, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH AT MURRHY RIGHT STATUTE."

A BETTER UNDERSTANDING DE YOUR CLAIMED MATER RIGHT CAM BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER LLAIMS IN THE BESIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, JOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BESINS OR SUBBRISHS AS WELL AS BEEN SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT WAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOLUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTILISTIT

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE POINTICE OF ENTITY OF PRELIMMRY DECKER AND MOTICE OF ANAILABLITY." IF YOU MEED DBJECTION FORMS, OR HAWE QUESTIONS ARBUT WHERE COURT PROCEDURES OR CHAMES TO YOUR RIGHT, YOU ARE CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MOTHAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 819, BUZEARN MT 59771-0079.

03/31/95

PRELITINARY DECREE PAGE 3,582 NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLIMBERE 4002-W-077314-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY NAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ANEMOED. AN ASTERISK (#) HAS BEEN PLACED NEXT TO EACH ITEN CHANNES BY THE DEPARTMENT OF MITHER. RESOLUCES AND CONSERVATION CONNEC DURING THE EMAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE MATTER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIXIMARY DECREE AND NOTICE OF AUAILABILITY." LUNLESS GOLETED TO OR CALLED IN ON NOTION OF THE NOTHANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARRED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAGNE ON THIS RESISTROT. (SEE SECTION BS-2-233, MONTANA COURCE ANNOTATEL)

	DEPT OF INTERIOR BUREAU OF LAND AGAT) K 36800 NGS AT 59107								
PURPOSE_CUSED:	STOCK								
SQUECE:	UNNAMED TRIBUTARY OF UNGER COULEE SOURCE TYPE: SURFACE WATER								
PRICEITY_DATE:	DECEMBER 31, 1544 TYPE OF HISTORICAL RIGHT: USE								
	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.								
YOLLDE:	.79 AF								
PERIOD_DE_LISE :	JANUARY O1 TO DECEMBER 31								
POINT OF DIVER	SION AND MEANS OF DIVERSION:								
	LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS								
01	SESEMW 29 31M 38E VALLEY DAM								
RESERVOIR:									
	OIR SEC SEC IMP SGE COUNTY								
01 DHSTREAM	SESENW 29 31M 38E VALLEY								
PLOCE_DE_USE_E	DR_SIDCK+								
808	ES LOT BLK OTR SEC SEC TWP RGE COUNTY								
001	SESENW 29 31M 38E URLLEY								
REDORKS:									
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF									

O3/31/95 PRGE 3,583

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RECHT CLAIM

WATERERIGHTENUMBERE 400x-W-077314-00x(CONTINUED)

REMORYS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERWATE SHID EXCHANGE THE USE (PEURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PROCITICES. W077313-00, W077314-00.

THE DIRC EXAMINATION OF THIS CLAIM FOUND IND SIGNIFICANT FRICTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DIBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, UDLINES, OR ACRES TRIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJULTING BASINS OR SUBBASINS OR WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT ANY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETI DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE FULLED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT BHITLED "MOTICE OF ENTRY OF PRELITITIARY DECREE AND MOTICE OF ENAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMS WHERE RIGHT. THESE FINDINGS CAN BE FUND AS INDICATED IN THE DOCUMENT BRITILED "MOTICE OF ENTRY OF PRELIMINARY DEFER AND NOTICE OF AUBILLABILITY." IF YOU REED OBJECTION FORMS, OR HAVE QUESTIONS ROOM WAFER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU OF OR CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN BOTHING DAY) OR 1-406-586-4364, OR BY WRITING TO P - D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PROE 3,584 MILK RIVER BELJW WHITEWITER CREEK INCLUDING PORCUPINE CREEK BRSIM 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400s-V-077315-00

IMPORTANT NOTICE

YDUR WRIER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WRIER RIGHT AS CLIMBED OR REMODED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANN WRIER COURT OF THE MOTHER RIGHT CLART OR THE MOTHER SHOWN THE SANDATED BY THE SANDATED BY THE MOTHER SHOWN THE SANDATED BY THE SANDATED BY THE MOTHER SHOWN THE SANDATED BY THE SANDATED BY THE MOTHER SHOWN THE SANDATED BY THE SANDATE SUPPREHE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUGUST ABBLITY."
UNLESS BUBLETED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS CLAIMED WATER RIGHT VILL APPREX IN THE FIRML DECREE AS SHOWN ON THIS MOSTRACT. USES SECTION 85-2-23, MONTANA CODE ANNOTATED.

DMMERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS PO BOX 201601 HEI ENG MT 59620-1601 PURPOSE (USE): WILDLIFE LINNAMED TRIBUTARY OF CHERRY CREEK * SOURCE: SOURCE TYPE: SURFACE WATER PRIGRITY DATE: JUNE 30, 1937
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELDY_RATE: THIS ONSTREAM RESERVOIR. UDLUME: 40.11 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: 01 EZSENE 13 31N 39E VALLEY RESERVOIR: OIR SEC SEC IMP RGE COUNTY ONSTREAM EZSENE 13 31N 39E VALLEY
CAPACITY: _____41_0_6C_EI DAM HEIGHT: _12_EI SURFACE AREA: ______6CBES O1 UNSTREAM * PLACE_DE_USE_EDR_WILDLIEE: BCRES LOT BLK QIR SEC SEC IMP RGE COUNTY EZSENE 13 31N 39E UALLEY WZSWNW 18 31N 40E UALLEY 200 REMARKS:

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03/31/95 PRGE 3,585

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077315-00g(CONTINUED)
REMARKS CONTINUED:

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THE WRITER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS STEED FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WRITER RIGHT. RATHER IT DECREES THE GRIGHT TO ALTERNATE AND EXCHANGE THE USE CHAPPOSE) OF THE WRITER IN OCCURN WITH HISTORICAL PRACTICES. W077315-00, W0

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DATE OUTING ITS

E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

LUMRESOLVED IF NO BUSICTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLASSED RUTH IN THE MRITER OF THE DEARBOOM DRINGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MUNTAMA SUPREME COURT STREED: "IT IS CLEAR THEREFORE THAT UNDER MONTAND LAW BEFORE 1973, MS APPROPRIATION RIGHT UNS RECONLIZED FOR RECREPIECH, FISH AMO WILDLIFE, EXCEPT HIROUGH A MURRHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING OWNER RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, DUBLINES, OR RORES IRRIGATED. ALSO, YOUR WATER RIGHT WAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS OF WELL AS ELENG SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND TEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTTCE OF ENTRY OF PRELITATINARY DECREE AND MOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE GOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU MED OBJECTION FORMS, OR MANE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES ID YOUR KIGHT, YOU CAN CONTACT HE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTHIN DR.Y.) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 679, BOZIMAN NT 59771-0279.

MILK RIVER BELOW WHITEWHITE CREEK INCLUDING PORCLETINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENUMBER: 400: W-077316-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHAMPES FROM YOUR WATER RIGHT AS CLAIMED ON AMENDED. AN ASTRAISK (2) MAS SEEM PLACED NEXT TO RECHITE CHAMPED BY THE DEPARTMENT OF MATURAL PESSURECES AND CONSERVATION (DNRC) DURING THE EXPANDATION PROCESS. THESE CHAMPES ARE AUTHORIZED BY THE MONTHM WHER COURT OF THE WATER RITH CLAIM EVALUATION FOR MULES AS DODOTED BY THE MONTHM WHER CANDIDED BY THE MONTHM OF THE MONTHM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUSSINED IN THE DOCUMENT DAYED THIS THE PROCESSION OF THE PROCESSION THE DAY THE DAY THE DAY THE DAY THE DAY THE DAY THE DAY THE PROCESSION OF TH

MONTAKA, SIRTE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS PO BOX 201601

1031-0562 75

HEI ENA PURPOSE (USE): STOCK CHERRY CREEK
SOURCE TYPE: SURFACE WATER * SOURCE : PRIORITY_DRIE: JUNE 30, 1937
TYPE OF HISTORICAL RIGHT: USE **ELOW RATE:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER ON PER ALIMNU INIT. ANIMAL WAITS SHALL SE BOSED ON RESTORBLE CARRYING CAPACITY AND MISTURICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. # VOLUME : PERIOD_UE_USE: JANUARY 01 TO DECEMBER 31 * PDINI_GE_DIVERSION BND_MERNS_DE_DIVERSION: LOT BLK OIR SEC SEC TWP RGE COUNTY MERNS 21 EPSENE 13 31N 39E UALLEY CAR RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM ONSTREAM ESSENE 13 31M 39E VALLEY

CAPACITY: _____41_0_BC_EI DAM HEIGHT: _12_EI SURFACE AKEA: ______BCRES * PLOCE_DE_USE_FOR_SIDCK: BCRES LOT BLK DIE SEC SEC IND BGE COUNTY EISENE 13 31N 39E URLLEY 18 31N 40E URLLEY 001 W25WNW REMARKS: J 17

03/31/95 PAGE 3.587

PRELIMINARY DECRET HILA RIVER BELLOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRITH 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077316-00s(CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SCHERAL PURPLES DOES NOT INCREASE THE EXTENT OF THE WATER ZIGHT. RRIHER IT DECREES THE RIGHT TO RIFERRATE MOD EXCHANGE THE USE (PURPUSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WOT7315-00, WOT7315-00, WOT7315-00, WOT7315-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

THE DIRC EXAMINATION OF THIS CLAIM FUND NO SIGNIFICANT FACTS, 1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A SETTER UPDESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIGHTIV DATES, FLOW RATES, UQUUES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT OF THE RIGHT OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF RUMILIBRILITY."

SEE GENERAL FINDINGS OF FACT AND CUNCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE UP RUALINGHILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 80ZERNAN NT 59771-70879.

PRELIMINARY DECREE PAGE 3,588 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077317-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMERDED. AN ASTERISK CX2 MAS BEEN PLACED NEXT TO EACH JIEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONNECT DURING THE EXAMINION PROCESS. THESE CHANGES ARE PRUTHORIZED BY THE MOTHEMA WATER COURT OF THE WIGHT CLAIM EXPANIMATION PRULES AS MODIFIED BY THE MOTHAMA SUPPEME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY." Ř

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	PURPOSE	CUSE):	STOCK								
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	PRIORITY DRIE: APRIL 18, 1968 TYPE OF MISTORICAL RIGHT: USE										
	ELDM_RBIE: MO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DHSTREAM RESERVOIR.										
	VOLUME:	•	.7	9 AF							
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	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIFLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEURAL PURPOSES DOES NOT INCREMENT THE RIGHT										

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03/31/95 PAGE 3,589

PRELIMINARY DECREE HILK RIVER SELOW WHITEWIRE CREEK INCLUDING PORCUPINE CREEK BRSIN 4000

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTERUMBERE 400x-W-077317-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077317-00. W077318-00.

THE DRC EXPRINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER MORESTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OSTAINED BY COMPARING TOWN RIGHT WITH OTHER CLAIMS IN THE BRISH. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, MOLUMES, OR ACCES TREIGHTED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJITHING BRISHS OR SUBBASING AS VALUE AS BEING SUBJECT OF THE RIGHT OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIGHT RESERVED AND FEDERA RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEDED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITIORY DECREE AND NOTICE OF MAILBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCCUMENT HITTLES PROJECTED FOR THEY OF PRELIMINARY DETRE DETRE AND NOTICE OF AUATLABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCECUMES OR CHANGES TO YOUR BIOH, YOU CAM CONTACT THE WATER COURT BY CRILING 1-800-624-3270 (WITHIN MONTAMA CHAY) OR 1-406-536-4364, OR BY WRITING TO P.O. BINK 879. BOZEMEN MY SERVICED FOR THE WATER AND THE MET SERVICED FOR THE WATER AND THE MET SERVICED FOR THE

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03/31/95 PRELIMINARY DECREE PAGE 3,590 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077318-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATTMEN, RESUMEDES AND CONSERVATION (OWER) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHAM AFTER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHAM AFTER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY."

UNLESS GUBECTED TO DR CALLED IN ON MOTION OF THE MONTANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED MATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAGMAN ON THIS RESTRACT. (SEE SECTION SE"2-233, MONTANA CORD AMMOTRACE) DWHERS: USA (DEPT OF INTERIOR BUREAU DF LAND MIGHT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_(USE): WILDLIFE z SOURCE: SPRING CREEK
SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 18, 1968
TYPE OF MISTORICAL RIGHT: USE FLOW_ROTE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. UDLUME t 1.21 AF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEAHS OF DIVERSION: LDI_BLK_QIR_SEC_SEC_IVE_RGE_COUNIY______DEBUS_ 01 NWSWNE 20 31H 39E URLLEY DAM RESERVOIR . DIR SEC SEC_IMP_RGE_COUNTY 01 DNSTREAM NWSWNE 20 31N 39E URLLEY * PLBCE DE USE EDR WILDLIFE: ____BCRES____LDI_BLK__OIR_SEC__SEC__IMP_RGE_COUNTY_____ 001 NWSWNE 20 31N 39E URLLEY

REBORKS :

03/31/95 PRGE 3,591

PRELIMINARY DECREE NILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERISHTENUMBERE400g-W-077318-00s(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE RND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077317-00, W077318-00.

** THE FOLINING ISSUES WERE IDENTIFIED BY THE DINC DURING ITS * EXPANUATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * 1 UNNESUED F IN OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLARKOR TRIOT. IN THE HATTER OF THE DEPARDMEND ORATINGCE MEER, 234 MONT. 393 (1989) (THE BEAN LANE CASE) THE MONIAMA SUPREME COURT STATED! "IT IS CLEAR THEREFORE THAT UMDER MONTAINA LAW BEFORE 1973, MO APPROPRIATION RIGHT WAS RECORNIZED FOR RECREATION, FISH AND WILLIFF, EXCEPT THROUGH A MIRROW RIGHT STATUTE."

A BETTER INDESTINATING OF YOUR CLRINGD WATER RIGHT CAN BE DETAINED BY COMPARING COURT RIGHT WITH OTHER CLRINS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUBPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMEN! ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AMPRICABLITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLUMENT ENTITLE OF MOTICE OF ENTRY OF PRELIMINARY DEFREE AND NOTICE OF RUMILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0679.

03/31/95 PAGE 3.592

PRELIMINARY DECREE HTIK RIVER BELOW WHITTEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHTANIMRERA400x-W-077319-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (*) HAS BEEN PLACED NEXT TO EACH TIEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONRC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COLORT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPERR IN THE FINAL DECREE DETREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DI AS SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, NONTANA CODE AMNOTATED.) USA COEPT OF INTERIOR BUREAU OF LAND MONT) DWNERS: PO BOX 36800 BILLINGS 59107 PURPOSE CUSED: WILDLIFE UNCOMED TRIBUTARY OF CHERRY CREEK, WEST FORK * SDURCE: SHIRCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1961 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE: 8.10 RF **UDLUME:** PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION SHO MEANS OF DIVERSION . INT BLK DIR SEC SEC INP RGE COUNTY MEANS NEMENW 28 31N 39E UALLEY DOM 01 RESERVOIR: OTR SEC SEC INP. RGE COUNTY. NEMENW 28 31H 39E UALLEY O1 DNSTREAM * PLOCE OF USE FOR WILDLIEE: ACRES LOI BLY DIB SEC SEC INP RGE COUNTY SESW 21 31M 39E 001 HEHEHW 28 31N 39E URLLEY 900

BEDBRKS:

03/31/95 PAGE 3.593

ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400E-W-077319-OOE(CONTINUED)

REMORKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077319-00, W07730-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE LANG DURING ITS
E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESQUED IF HO ØSJECTINGS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTEK OF THE DERBORN DRAINAGE REP., 234 MONT. 343 (1986) (THE BERN LRKE CASE) THE MONTANA SUPREME COURT STRIED! "41 IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECORDIZED FOR RECKEPTION, FISH AND WILDLIFE, EXCEPT INKOUGH A PHERMY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PROBRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIGHT RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PREINTHARY DECREE AND NOTICE OF WARILABILITY." IF YOU MED OBJECTION FORMS, OR HAVE QUESTIONS ADOUT WHIER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WHIER COURT BY CALLING 1-BOO-624-3270 (VITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.J. BOX 879. BDZEMAN MIS 5977.0879.

03/31/95 PRGE 3,594

PRELIMINARY DECREE MILK RICER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT EMUMBERE 4002-W-077320-00

IMPORTANT MITICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOMISES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED MENT TO EACH ITEM CHARGE BY THE DEPARTMENT OF HATMARA. MESOMEC'S MOD CONSERVATION COMEC'D MURING THE EVANDARTION PROCESS. THESE CHARGES ARE AUTHORIZED BY THE MONTHMA WATER COMET. BY THE MONTHMA WATER CHARLES AS AGOVERD BY THE MONTHMA WATER AND MONTHMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CUTLINED IN THE DOCUMENT EMITLED "MOTICE OF EMIRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

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*	PRIGRITY DATE: DECEMBER 31, 1961 TYPE OF HISTORICAL RIGHT: USE											
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	REDBRKS :											

03/31/95

PROCLIMINARY DECREE PRICE 3,595 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: - W-077320-00: (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077319-00, W077320-00.

* THE DWICE EXPANDATION OF TMIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WHITE COURT. *

A BETTER UNDERSTMOTING OF YOUR CLIPTURE WATER RIGHT CAM BE OBTAINED BY COMPORING THE YOUR RIGHT WITH OTHER CLIPTS IN THE BOSKIN FOR EXCHANGE CHAPTE PRINTETY DATES, FROM WATER, UNDERSON OR CRES INCREMEND. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS ON JOILINIOS BRASINS OR SUBBRISINS OF VELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUMPLY. FIRALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY EXCENDED WHER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY FEBRUARY.

COMPLETE CETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LIBERTIMS IDENTIFIED IN THE DECIMENT ENTITLED "MOTICE OF ENTRY OF RELITINARY" DECREE MONOTICE OF MAJILARILITY."

SEE BENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXTENSATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BY NOTICE OF ENTITION PROTICE OF AURIL RELITIVE. IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS AROUT WHITER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU OR CONTROT! WE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTAINS DAILY) OR 1-406-586-4364, UK BY WRITING TO P.O. BOX 879, BOZEMAN NT 59771-0879.

03/31/95 PAGE 3.596

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400x-V-077321-00

THEORYTENT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLRIMED OR AMENDED. AN ASSETSK (2) MAS BEEN PERMED MEXT TO WATER CHANGED BY THE MERMED OF THE METHER. RESUMES AND EXPRESED AND THE MOTHER WATER COURT OR THE MOTHER WATER SHOWN OF THE MOTHER WATER SHOWN OF THE MOTHER WATER SHOPE OF CURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY."
UNLESS DBLECTED TO OR CALLED IN ON MOTION OF THE MOTIVAND MATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
S SHOWN ON THIS RESTRACT. (SEE SECTION 65-2-23), MOTHEMB CODE REMOTATED.

DEMENS. USE COURT OF THEOTOP SUBSECULOR LAND MENTS

	********	PO BO	X 36800 NGS	2,112,120,1	HT	59107		•					
	PURPOSE_	CUSE):	WILDLI	FE									
	SOURCE :			WIRE GRASS COULEE SOURCE TYPE: SURFACE WATER									
	PRIDRIIY	_Dale:	APRIL TYPE C	APRIL 19, 1968 TYPE OF HISTORICAL RIGHT: USE									
	ELDW_R8I	E:		ND FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.									
	VOLUME:		€	.21 AF									
	PERIOD_D	E_USE:	JANUAR	Y 01 TO DE	CEMBE	R 31							
ŧ	POINT_DE	DIVER	SIOU_8	O_MEBNS_C	DIVE	RSION:							
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* E 18

03/31/95 PAGE 3,597

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077321-00x(CONTINUED)

PEMARKS CONTINUED:

x

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077321-00, W077322-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

"MRESOLUED IF MO DEJECTIONS ARE FILED."

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE REFE, 29 MONT. 343 (1988) (THE BERN LAKE CORSE) THE MINISTRANCE OUNTS STATED: "II IS CLEAR THEREFORE THAT UNDER MONTANH LAW BEFORE 1973, NO EPPEARLATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW ARTES, VOLUMES, OR RCRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MATERIALS PRELITAINARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 897, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLIDING PORCUPINE CREEK BASIN 4CO ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-0773P2-00

IMPORTANT MITTICE

YOUR WATER RIGHT AS SHOWN ON THIS PASTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMERICAD. AN ASTERISK (X) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MAJURA, RESOURCES AND CHARGENATION COMECO DURING THE ENGLISH OF THE MOTERN THE FOR THE MOTERN THE FOR THE MOTERN THE MOTERN THE MOTER COMMITTED BY THE MOTERN ATTER SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTIFIED FENTING OF PRELITAINARY DECREE AND NOTICE OF AUMILIABILITY." UNLESS OBJECTED TOOK CALLED IN ON NOTION OF THE MOTIFIAND WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RING WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 65-2-233, MOTIFIANA COOR -MOTIFIANE).

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MONT!
PO BOX 368000
BILLINGS NT 59107

59107 ЯŤ

PURPOSE_CUSED: STOCK

WIRE GRASS COULEE SOURCE :

SOURCE TYPE: SURFACE WATER

PRIORITY DRIE: APRIL 19, 1968
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE:

UDLUME: .79 RF

PERIOD DE USE: JANUARY OF TO DECEMBER 31

* POINT DE DIVERSION BND MERNS DE DIVERSION:

LOI BLK OIR SEC SEC TWP RGE COUNTY ---_DEBNS____

nι SWNERW 30 31N 39E URLLEY DAM

RESERVOIR:

GIR SEC SEC TWP BGE COUNTY

O1 ONSTREAM SWNENW 30 31N 39E VALLEY

* PLOCE_DE_USE_EDR_SIDCK:

___OCRES____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____

SWHENW 30 31N 39E UALLEY 001

REMBEKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03-31/95 PRELIMINARY DECREE PROE 3,599 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

WATERERIGHTENUMBERE4002-W-077322-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077322-00, W077322-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, # DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT ON BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED - ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY - FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODITOR ENTRY DECREE AND NOTICE OF AURILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DETRE LORGE AND NOTICE OF AWAIL ABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-634-3270 (WITHIN MONTARIA DNLY) OR 1-406-556-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE WILK RIVER BELOW WHITEWATER CHEEK INCLUDING PORCUPINE CREEK BRIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRICHTINGBER: 400x-W-077323-00

IMPORTANT NOTICE

YOUR WHITER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WHIER RIGHT AS CLAIMED OR MENDED. AN ASIERISK (2) HAS BEEN PLACED NEXT TO EACH ITER CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONRCD DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WHITE COURT OR THE WATER RIGHT CLAIM EXAMINATION RIKES AS ADOPTED BY THE MONTANA SHEEP COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDUPES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE FORMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL OECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 85-2-23), MONTANE CODE ARMOTATES.

59107

MT

DINERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT)
PG BOX 36800

BILLINGS

PURPOSE_CUSE): WILDLIFE

* SOURCE: SPRING, TRIB OF WIRE GRASS COULEE SOURCE TYPE: GROUNDWATER

SOURCE TIPE: GROUNDENTER

* PRIDRITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

ELDW_RAIE: 4.98 GPM

VOLUME :

7.21 BF

PERIOD OF USE: JANUARY DI TO DECEMBER 32

POINT_CE_DIVERSION AND MEANS DE_DIVERSION:

LOT BLK OIR SEC SEC IMP. RGE COUNTY MEANS

NWSWSW 30 31N 39E ORLLEY DEUELOPED SPRING

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK GIR SEC SEC TWP RGE COUNTY

001

NWSWSW 30 31N 39E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INTREASE THE EXTENT OF THE WATER RIGHT. RHTHER II DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (FUMPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLYBERE400g-W-077323-00g(CONTINUED)

REMARKS CONTINUED.

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS SHAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNKESSE VED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED KIGHT. IN THE MATTER OF THE DEARBOON DRAINAGE REEP, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTHMAN SUPPERE COURT STATED? "IT S LIEAR THEREFORE THAT UNDOES MONTHMAN AND BEFORE 1973, MO APPORTATION RIGHT WAS RECOUNTED FOR RECREATION FISH AND VILLUIFE, EMEET THROUGH A MURPHY RIGHT STRATE."

A SITTER LONGESTANDING DE YOUR CLAIMED WATER RICHT COM DE DETRINED BY COMPARING VOUR RICHT VITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDILUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RICHT MAY DES UNDIECT TO WHITE RICHTS IN ADJOINING BASINS OR SUBBRISH ON SUELL AS BEING SUBJECT TO THER RICHTS CA YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INTER RESERVED MONTER RICHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED NATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "XXTTCE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY."

P.O. BOX 879, BOZEMAN MT 59771-0879.

DEVELOPED SPRING

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE-ODE-W-077324-00

IMPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR MATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#) MAS BEEN PLACTO NEXT TO EACH ITEM CHANGES BY THE DEPARTMENT OF MITTHEN, RESOURCES AND CONSEQUATION (OWAC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAIN MATER COURT OF THE WATER PIGHT CLAIM EXAMINATION MILES AS ADOPTED BY THE MONTAIN MATER SUPPRETE COURT.

OBJECTIONS MAY 9E FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PPOLIMINARY DECREE AND NOTICE OF ANALIABILITY."
UNLESS OBJECTED TO OR CALLED IN CH MOTION OF THE MOTINAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLETHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN OF THIS MOTIFANT CORE ARMOTRIED.

USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PO 80X 36800 DWBERS:

BILLINGS 59107

PLIXPOSE_CUSE: A STOCK

SPRING, TRIB OF WIRE GRASS COULEE SCURCE TYPE: GROUNDWATER * SOURCE :

* PRIGRITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

UCLLYSE:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS FOR DAY FOR ANIMAL UNIT. ANIMAL WAITS SHALL BE BASED ON RESONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY

THIS WATER SOURCE.

PERIOD DE USE: JANUARY O1 TO DECEMBER 71

* POINT DE DIVERSION AND MEAMS OF DIVERSION:

LOI BLK OIR SEC SEC IMP RGE COUNTY MEBUS

01 NUSUSU 30 31N 39E VALLEY

* PLACE DE USE FOR STOCK+

BCRES LOT BLK DIR SEC SEC IMP RGE COUNTY

001 NWSWSW 30 31N 39E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES.

03/31/95

MILK RIVER BELDW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077324-00x(CONTINUED)

REMARKS CONTINUED:

W077323-00, W077324-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF URLUMENT ENTITLED "MUTICE OF ENTRY OF PRELITINARY DETRE AND MOTICE OF ANAILABLITY." IF YOU HEED DBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BRSIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077325-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAISK (12) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE CHARMEN OF THE PROPERTY OF NATURAL RESOURCES AND CONSCIONATION (OWNER) DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHMM WATER COURT OF THE WATER RIGHT CLAIM FRANTHATION RULES AS ROOPTED BY THE MONTHMM WATER SUPREME COURT.

DBJECTIONS MAY BE FILED ACCOMDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIINARY DECREE AND MOTICE OF AUMIL MBLITY." UMLESS OBJECTED TO GO CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THIS CLAIMED MATER KIGHT WILL MAPER IN THE FINAL DECREE AS SHOWN ON THIS MASSIRACT. (SEE SECTION 05:2-23), MOTHANS COLD ANNOTATE.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 MT 59107 BILLINGS PURPOSE (USE): WILDLIFE SOURCE: UNMAMED TRIBUTARY OF PORCUPINE CREEK SOURCE TYPE: SURFACE WATER PRIDRITY_DRIE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE FLDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. UCLUME: 4.38 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MESOS OF DIVERSION: LDI BLK DIR SEC SEC IMP RGE COUNTY.... _UEBNS_ 01 DAM SWNERW 15 31N 40E UALLEY RESERVOIR: ____OIR_SEC_SEC_IMP_RGE_COUNTY_____ O1 ONSTREAM THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. * PLACE OF USE FOR WILDLIFE: ___OCRES____LOI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____ WZNENW 15 31N 40E URLLEY NENWNW 15 31N 40E URLLEY 200 REBORKS:

M 18

C3/31/99 PAGE 3,505

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077325-00s(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT IMCREASE THE EXTENT OF THE WATER RIGHT TO MATTHER IT DECREES THE RIGHT TO MATTERWISE AND EXCHANGE THE USE (PUMPOSES) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77325-00, WO77326-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESQUED IF NO OBJECTIONS ARE FILED. 2

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OWERLAPPING PLACES OF USE. W077325-00, W077326-00, W202152-00.

THERE IS A QUESTION AS TO THE VALICITY OF THIS THERE IS A QUESTION AS IN THE WALLELTY OF THE CERREDRY DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTHAYS DEPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAYS LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE CBIAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELITINGARY DECREE AND LOTICE OF AVAILABILITY. " IF YOU WEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAN ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 3,606 BBSIM 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077326-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR REMODED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONKED DURING THE EXPETIMENTON PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTRAM WATER COURT OF THE WATER RIGHT CLAIR EXPANIANTIAN RULES AS ADOPTED BY THE MONTRAM

UF	PREME COU	RT.										
NI M E	JECTIONS FITLED TH LESS OBJE CREE, THE SHOWN ON	OTICE (CTED TO ELEMEN	OF ENTRY OR CAL	OF PREL: LED IN O	IMINARY N MOTIC MED WAT	DECREE FOR DECREE FOR DECREE FIRE	MONTA WILL	TICE NA WA	OF A TER R IN	VAÎLABÎ COURT I THE FÎ	LITY." N THIS	i
	DWMERS:		K 36800			J DF LAND 59107	MGMT)				
	PURPOSE	CUSE2:	STOCK									
	SOURCE:			TRIBUTA		PORCUPINE WATER	CREE					
	PRIDRIIY	_DBIE:	FEBRUAR TYPE OF	Y 28, 19 HISTORI	50 CAL RI	SHT: USE						
	ELDY_RAI	Ę:		RATE HA ISTREAM R		DECREED I	OR T	4I5 US	E FR	Off		
	VOLUME:			62 AF								
	PERIOD_0	E_USE:	JANUARY	01 TO D	ECEMBE	R 31						
İ	POINI_05	DIVER	SION_BNC	_DEAMS_D	E_DIVE	RSION						
			FOI_BFR	QIR_SEC	_SEC_I	MB_BGE_CD	UBIY			Debus		
	01			SWHEN	15 3	1N 40E VR	LLEY			DAM		
	BESERVOI	B :										
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PRELIMINARY DECREE MILK RIVER SELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT =:ML:MBERI4001-W-077326-00x(CONTTHHED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NOT TIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT STATEMENT OF THE SAME RIGHT. RICHERSE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATIS AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURACY MOTAPS. VO 77325-00, V077326-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESQUED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE W077325-00, W077326-00, W202152-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, DOLUMES, OR RCRES IRRIGATED, A SO, YOUR WATER RIGHT IN ADJUNING BASINS OR SUBBASINS OR SELL AS BEING SUBJECT TO OTHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGROING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEMED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PERLIMINARY SCREE AND NOTICE OF ANAILABILITY."

SEE CEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DECLEMENT ENTITLE MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALKBILTY. — IF YOU WEED DOBLECTION FORMES, OR HOME QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-664-3270 (WITHIN MONTAND MONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, BOZEMAN NT 59771-0879.

PRELIMINARY DECREE PRSE 3,608 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT & HUMBER & 400 E-W-077327-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHORGES FROM YOUR WATER RIGHT AS CLAIMED BY APPENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF ANTIBIAR RESOURCES AND DESTRAINED. COMED DIRTHS THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOUNTAIN WHITE COURT OF MILE AS ADDITED BY THE MOUNTAIN WHITE SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CUILINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY." UNLESS BRICTED TO OR CALLED IN ON MOTION OF THE MONTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATTED MOTER RIGHT VILL APPER IN THE FINAL DECREE AS SADOWN ON HIZS ABSTRACT. (SEE SECTION BS-2-23), MONTHAN CODE AMANDIATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PD BDX 368000
BILLINGS
BY 59107 59107 PURPOSE_(USE): VILDLIFE SOURCE: UNNAMED TRIBUTARY OF LIME CREEK SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: FILED HO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW ROIE: UOLUME: 2 21 AF PERIOD_DE_USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOI BLK OIR SEC SEC TWP BGE COUNTY MEANS NESESE OF BEN BEE WALLEY 01 DAM RESERVOIR+ O1 ONSTREAM NESESE OB BEN BRE UALLEY RESERVOIR/LAKE MAME: ABEY RESERVOIR * PLACE DE USE EDR WILDLIFE: __BCRES____LDT_BLK_QTB_SEC_SEC_IMP_RGE_COUNTY 03 32N 37E 03 32N 37E W2NESE

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLIDING PORCUPINE CREEK SASTIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077327-00=CCONTINUED) PERSONAL CONTINUED:

ŧ 2 THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES OF SHE MOT INCREASE THE EXTENT OF THE WATER RIGHT. RAILER LT DECRESS THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTILES. D77327-00, WO77328-00.

THE FOLLOWING ISSUES WERE DENTIFIED BY THE DRIC DURING ITS EXAMINATION OF THIS WATER RIGHT LAIM. THESE ISSUES MAY REMAIN UNRESCUED IF NO URBLICTIONS RRE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLRIED RIGHT. IN THE MATTER OF THE DERRORM DERRINAGE REE, 234 MOINT. 343 (1990) CTHE BERN LERE CASE) THE MONTANS SUPPREME COURT STATED: "II IS CLEAR THEREFORE THAT UNDER MONTANDE ABECDRE 1973, NO APPENDERIATION RIGHT WAS RECOGNIZED FOR RECERRATION, FISH AND VILOLIFE, EXCEPT THROOGH AN MIRRWY RIGHT STRTUE."

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUTES, OR ARKE IRRIGATED. ASD, YOUR WATER RIGHT IN AN BE SUBJECT TO WATER RIGHTS IN ADJUINING BESIMS OR SUBBRISTS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRO EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE OCCUMENT ENTIFLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT LATITLED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND MOTICE OF RUPAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITMIN MONTHAN DMLY) OR 1-406-585-4964, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT #MUMBERI4001-V-077328-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) HAS BEEN PLACED HEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESUMCES AND CONSEQUATION (OMEC) DURING THE EMAINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COUNT OF THE WATER RIGHT CLAIM EXAMINATION MULES AS ADOPTED BY THE MONTHAN ATER COUNT OF THE WATER RIGHT CLAIM EXAMINATION MULES AS ADOPTED BY THE MONTHAN ATER SUPREME COLURY.

OBJECTIONS MAY BE FILED ACCORDING TO THE PRODEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO BE CALLED IN OH MOTION OF THE MOTIVARIN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINH. DECREE AS SHOWN ON THIS ABSTRACT. CSEE SCITION 85-2-233, MONTHAN COLD ANNOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) DWMERS: PO BOX 36800 BILLINGS MT 59107 PURPOSE_CLISED: STOCK SOURCE : UNHAMED TRIBUTARY OF LINE CREEK SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1969 TYPE OF HISTORICAL RIGHT: FILED ELOW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UDLUME:** .79 AF PERIOD DE LISE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION : LOT BLK OTR SEC SEC TYP RGE COUNTY MEANS 01 NASESE OR BAN BYE URLLEY DRM RESERVOIR : QIR_SEC_SEC_TAP_RGE_COUNTY_____ NESESE 03 32H 37E VALLEY 01 ONSTREAM RESERVOIR/LAKE NAME : ABEY RESERVOIR * PLACE_DE_USE_EDR_SIDCK :

005 REMARKS : 03 32H 37E VALLEY 03 32H 37E VALLEY

___BCRES____LDI_BLK__QIR_SEC__SEC__IMP_RGE__COUNTY_____ WZHESE

NESESE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT ENUMBERE 4002-W-077328-002 (CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE PAILTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO RITERHATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH KISTORICAL PRACTICES.

WO77327-00. W077328-00.

THE DHRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES INTRIBATED ALSO, YOUR WATER RIGHT IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO UNKER PICHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO IN. AM RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO IN. AM RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO TAKE AND RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AMAILABILITY."

SEE GENERAL FIMDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OSCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU WED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY ROCEOURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-327 (UTITIN MONTAND DAY) OR 1-405-586-4364, OR BY WRITING TO P.O. BOX 8279, BOZEANANT S3777-0879.

PIT

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF MATER RIGHT CLAIM

WATERERIGHTENUMBERE 4002x-0-077329-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

DWHERS: USA (DEPT OF INTERIOR BURERU OF LAND MIGHT) PO BOX 36800

59107

PURPOSE (USE): WILDLIFE

LINNAMED TRIBUTARY OF LIME CREEK SOURCE:

PRIDRITY DATE:

ELDW_RATE:

UDLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI BLK OTR SEC SEC TWP RGE COUNTY MEANS

01 SESW OB 32N 37E VALLEY

RESERVOIR:

PLACE OF USE EOR WILDLIFE

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DARC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED AS THE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO DR CALLED IN ON MOTION OF THE MOTINAIN MATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATHED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLED "MOTICE OF FINITY OF PRELITINARY DETRE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, "OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-634-3270 (WITHIN TONIANA BULY) OR 1-406-586-364, OR BY WRITING TO P.O. BOX B79, BOZEMAN MT 59771-0879.

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PRELIMINARY DEDREE PRELIMINARY DEDREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400 BOSING OF WATER RIGHT CLAIM

WPTERERIGHTENUMBERE400x-0-077330-00

SEEKS THIS WATER RIGHT CLAIM HAS BEEN TERMINATED. SEEKS

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PG BOX 36800 BILLINGS MT

MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK

PRIORITY DATE:

FLOW_RATE:

UOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

SESW OR 32N 37E URLLEY PIT

01 RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE OMRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED : A STHE CLAIMANT WITHDREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILLED "MOTICE OF HORIZON OF PRELIMINARY DECREE AND MOTICE OF AUALHBLIATY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAM WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS ABSTRACT. (SEE SECTION 85-2-23] MONTHAM CODE MANDIATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATHED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTILLED "MOITCE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 802ENN MT 5 9771-0479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077331-00

IMPORTANT NOTICE

YOUR MATER RIGHT RE SHOWN ON THIS RESTRICT MAY MADE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMORED. AN ASTERISK CO J HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREL RESOURCES AND COMSEQUATION COMERC OWNER OF MEMORES FOR COMPRESENTION FORCESS. THESE CHANGES RE AUTHORIZED BY THE MOTHANN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MOTHANA WATER SUPPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECKEE AND NOTICE OF ANALIABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER TIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS ABSTRACT. OSE SECTION 85-2-233, MONTANA CODE ANNOTATELS.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 BILLINGS

MT 59107

PURPOSE_CUSE): STOCK

SOURCE: WEL

WELL SOURCE TYPE: GROUNDWATER

* PRIGRITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE:

6.01 SPM

* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANYMAL WATT. ANYMAL WAITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

POINT_DE_DIVERSION:

LOT BLK OIR SEC SEC IMP RGE COUNTY

01 SWNE 10 32N 37E VALLEY

PLACE_DE_USE_FOR_STDCK:

OCRES LOT BLK OTR SEC SEC TWP RGE COUNTY

001 5WNE 10 32N 37E URLLEY

REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SHME RIGHT. HE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DEFREES THE RIGHT TO RIGHT HE WATER SHOULD THE WATER SHOULD THE WATER THE OFFICE SHE RIGHT TO BUT ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERZRIGHTZNUMBERZ400X-W-077331-00X(CONTINUED)

REMARKS CONTINUED:

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W077331-00, W077332-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESQUED IF NO DBJECTIONS ARE FILED. .

THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED TO A 10 ACKE DESCRIPTION FROM INFORMATION IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BELTEK UNGESTRUING UF YOUR CLEATED WHER KINH UM BE DE HANDE BY LIVINKING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRIY DATES, FLOW RATES, WILLES, OR AGRES IRRIGATED ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASING DRE BESENDE WELL AS BETTING SUBJECT TO CITIER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHAC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AGRICADALITY."

SEE GENERAL FIMDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF HERRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY. If YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS AROUT WHIER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-524-3270 (WITHIN MONTHMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. 80X 879, BOZEMAN MT 59771-0879.

PREI THYWYRY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPING PREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER #RIGHT #18 MRER# 400#-W-077332-CIO

IMPORTANT MOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED MENT TO EACH JIEM CHANGED BY THE DEPARTMENT OF MATUREN, RESURECES AND CONSEQUATION COMEC DUTING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE FOUNTAIN MOTER COUNT OF THAT WATER RIGHT CLAIM EMERIMATION RULES AS ROOYSED BY THE FOUNTAINA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MITTLE OF AUGILABILITY." WHESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARED WATER RIGHT VILL PPERR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 85-2-233, MONTANA CODE PRONOTATED.)

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800

59107

PURPOSE_CUSE): WILDLIFE

SOURCE:

BILLINGS

SOURCE TYPE: GROUNDWATER

* PRIDRITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

6.01 GPM

UOLUME:

8.89 AT

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT_DE_DIVERSION:

LOT DUK OTR SEC SEC TWP RGE COUNTY

Ω1 SWHE 10 32H 37E VALLEY

PLACE DE USE FOR WILDLIFE :

GCRES LOT BLK OTB SEC SEC TYP RGE COUNTY

001

SWNE 10 32N 37E UALLEY

REMORKS:

THE WATER RIGHTS LISTED FELLOWING THIS STATEMENT ARE MULTIPLE USES OF 114 SAME RIGHT. THE USE OF THE RIGHT FOR SEVERA PUPPCESS DOES NOT INCREMISE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOST) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077331-00, W077332-00.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER #RIGHT #NUMBER #400 # - W-077332-00#(CONTINUED)

REHARKS CONTINUED:

* 1 1

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DRRC OURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UMRESOLVED IF NO DBJECTIONS ARE FILED.

THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE DESCRIPTION FROM INFORMATION IN THE CLAIM FILE.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REE, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPPERE COURT STATED: "IT IS CLERK THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND LITALY SECRETARY. WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUM 21.9 PAURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS FIGURE.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR PIGHT WITH NITHER CLAIMS IN HE BASIN FOR EXAMPLE, COMPARE PERIORITY DATES, FLDW RATES, UNLUMES, OR ACRES IRRIGATED, ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNKING BASING OR SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIGHT RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE CEMERA FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF VOIR CLARING WHER RIGHT I THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALISMS LITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS GROUP WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-564-3270 (WITHIN MONTAND ONLY) OR 1-406-556-4364, OR BY WEITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077333-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT HAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMORED. AM ASTERISK (2) HAS BEEN PLACED MEXT TO EACH SITEN CHANGED BY THE PERMITENT OF MATURAL RESUMENCES AND COMERCHATION (CHRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WHER COURT OR THE MONTHAM WHER COURT OR THE MONTHAM WHER SUPPEME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF BURILDAY OF PRELIMINARY DECREE AND NOTICE OF BURILDRILLY."

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES MOST INCREASE THE EXTENT OF

PRELIMINARY DECREE PROE 3 HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BRISH 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077333-00x(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETENHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. NO77333-00, WO77336-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONC DURING ITS

E EXMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNVESTUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLARIFOR PIGHT. IN THE MATTER OF THE CERROSON DORINGGE REA, 234 MONT. 343 (1799) (THE BEAN LAKE CASE) THE MONTANA SUPPREME COURT STREED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIDAT WAS RECOGNIZED FOR RECREATION, FISH AND VILLUIFE, EXCEPT THROUGH A THERPY RIGHT STRUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT COM BO DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRISH. FOR HAMBE, COMPARIE PRIDRITY DATES, FLOW RATES, UNLUMES, OR ACRES TRRIGHTED, A.SO., YOUR WHITE RIGHT HAY BE SUBJECT TO WATER RIGHTS IN YOUR YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELETED MATERIALS ON BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MAILBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "FOUTLE OF ENTITY OF PREIDINIARY DETECTE AND NOTICE OF AVAIL ABILITY." IF YOU MEED DAILECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTANA DHLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 979, BOZEMAN MT 59771-0879.

9331/95 PRELIMINARY DECREE 03/31/95 HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK 3,620 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENLIMBERE400g-W-077334-00

IMPORTANT NOTICE

YOUR WHITER RIGHT AS SHOWN ON THIS RESTRECT HAY HAVE CHANGES FROM YOUR WHITER RIGHT AS CLAIMED OR MMENDED. AN ASTERISK (#) HAS BEEN PLACED MEXT TO ERCH LIEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONC.) DURING THE EMPRIFACTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WHITE COURT OR THE WATER RIGHT CLAIM EXPAINATION RULES AS ROUPTED BY THE MONTHAM ANTER SUPPERE COURT.

AJECTIONS MAY RE ETIED OCCUPATOR TO THE PROCEDURES OUT TWEN THE DOCUMENT

ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN OM MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE RS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE RHNOTATED.)
DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800 BILLINGS MT 59107
PURPOSE_CLISE2: STOCK
SOURCE: UNMAMED TRIBUTARY OF LIME CREEK SOURCE TYPE: SURFACE WATER
PRIORITY DATE: NOVEMBER 10, 1966 TYPE OF HISTORICAL RIGHT: FILED
ELOW_RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
<u>VOLUME</u> : .79 AF
PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31
* POINT_OF_DIVERSION_BND_MEANS_DE_DIVERSION;
LDI_BLK_QIR_SEC_SEC_IMP_RGE_CDUMIYMEANS
O1 SENWNE 11 32M 37E VALLEY DAM
RESERVOIR:
QIB_SEC_SEC_IMP_RGE_COUNTY
01 ONSTREAM SENUME 11 32M 37E VALLEY
RESERUDIR/LAKE NAME: ADA RESERUDIR
* PLACE_DE_USE_EDR_SIDCK:
BCRESLDI_BLKQIR_SEC_SEC_IWP_RGE_CDUNIY
001 EZMWME 11 32M 37E UALLEY
REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077334-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077334-00. W077335-00.

THE DIRC EXAMINATION OF THIS CLAIN FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER INDESSIMADING DE YOUR CLAIMED WATER RIGHT CAM BE DETAINED BY COMPARING VOUR RIGHT WITH DIMER CLAIMS IN THE BASIN FOR ENAMEL COMPARE PRIDRITY DATES, FLOW RATES, URLUMES, OR AGRES IRRIGATED. ALSO, VOIR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN JOILINING BRISINS OR SUBBRISINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WHITE RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUADIL BRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU MEED OBJECTION FORMS, OR HOW QUESTIONS ABOUT WHIER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMN MT 59771-0879.

29.1E VEQ 9,622

PRELIMINARY DECREE MILK FIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASTN 400

ABSTRACT OF WATER RIGHT CLAIM

WATTERERIGHTENUMBERE 4002-V-977335-00

IMPORTANT NOTICE

YDE OR WATER RIGHT AS SHOWN ON THIS ABSTRACT HAY HAVE CHANGES FROM YOUR WATER RIESHT AS CLARED OR AMENDED. AN ASTERISK (*) HAS BEEM PLACED MENT TO EACH ITEM OFFENDED OF THE OFFENDED HAT WAS REPORTED FOR CONSERVATION (OMEC) OUTLING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER CREAKING THE WATER RIGHT CLARM EXAMINATION RULES AS FOURTED BY THE MONTHAM AND THE MONTHAM OF THE MONTHAM SUPPREME COURT.

OB_JECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DE

-	ESS DIRCTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS CREEK, THE LEMENTS OF THIS CLEINED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
	DWMESS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800
	BILLINGS HT 59107
	PURPOSE_LUSE2 : WILDLIFE
	SOURCE: UNMARKED TRIBUTARY OF LIME CREEK SOURCE TYPE: SURFACE WATER
	PRIORITY_DATE: NOUEMBER 10, 1966 TYPE OF HISTORICAL RIGHT: FILED
	ELOW BBIE: MO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	LYDLUME: 3.21 AF
	PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31
ĸ	POINT OF DIVERSION AND BEAMS OF DIVERSION:
	LDT BLK_OTR_SEC_SEC_TWP_RGE_COUNTY
	O1 SENUME 11 32N 37E VALLEY DAM
	RESERVOIR:
	OIR_SEC_SEC_IWP_RGE_COUNTY
	O1 DHSTREAM SENWINE 11 32N 37E VALLEY
	RESERVOIR/LAKE NAME: ADA RESERVOIR
*	PLECE_DE_USE_EDR_WILDLIEE:
	BCRESLQI_BLKQIR_SEC_SEC_IMP_BGE_COUNTY
	OO1 EENWHE 11 32N 37E UALLEY
	REDORKS:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE TIGHT FOR SECERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE PAGE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRIDI 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400x-W-077335-00x(CONTINUED)

REMARKS CONTINUED :

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLEEMATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W07733-00. W077335-00.

THE FOLINING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS

EXPAINATION OF THIS WATER RIGHT CLAIM - THESE ISSUES MAY REMAIN

LINNERSULED IF MO DEJECTIONS ARE FILED -

THERE IS A QUESTION AS TO THE UPALIDITY OF THIS CLARED RIGHT. IN THE MATTER OF THE DEPREDAN DRAINING REAR, 234 MOINT. 343 (1980) (THE BEAN LAKE CASE) THE MONITHM SUPPREME COURT STRIPE! IT IS CLERR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, MO APPROPRIENTION RIGHT WES RECOGNIZED FOR RECREATION, FISH MONULLIFE, EXCEPT THROUGH A HURPRY RIGHT STRUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIDRITY ONTES. FLOW RATES, VOLUMES, DR PCRES TREIGHTED - R.S.G., YOUR WATER RIGHT IN A BESING TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INGIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DATE EXPLINATION RESULTS AND RELATED MATERIALS CAN BE REJUEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF EMIXY OF PRELIMINARY DECREE AND NOTICE OF ANALABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHERE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLUMENT ENTITLE OF REHITY OF PRE-LIMINARY DETECTED AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 4879, BOZEMAN MT 5877-0879.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER * RIGHT * NUMBER * 400 * - W-077336-00

REMARKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON HIS RESIRREDT MAY HAVE CHANGES FROM YOUR WATER REISHT AS CRIMED OR HEMDED. HIS RESIRREDCE SHOWN OF HEMDER HEMDER HAS RESIRREDCE BY THE DEPARTHENCE OF MAINTENANCE SHOWN OF THE HAND HEMDER HAVE EXCHANGED BY THE DEPARTHENCE OF THE HAND HAVE AND HEMDER HAVE BY THE HAND HAVE AND HEMDER HAVE BY THE HAND HAVE AND HAVE COURT OR THE WATER RIGHT CLAIR EXAMINATION RULES AS ROOPTED BY THE HONTON HAVE

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIBATILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAN WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FIRM, DECREE

RS	SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTAWA CODE ANNOTATED.)
	DWNESS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800
	BILLINGS HT 59107
	PURPOSE_(USE): STOCK
	SQUECE: UNNAMED TRIBUTARY OF LIME CREEK SQUECE TYPE: SURFACE WATER
*	PRIORITY_DBIE: SEPTEMBER 30, 1970 TYPE OF HISTORICAL RIGHT: USE
	ELOW_BRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	UDLUKE: .79 AF
	PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31
*	POINT_GE_DIVERSION_BND_NEBNS_DE_DIVERSION:
	LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS
	O1 NESUSW 11 32N 37E VALLEY DAM
	RESERVOIR:
	OTR SEC SEC I WP RISE COUNTY
	O1 DNSTREAM NESWSW 11 32M 37E VALLEY
*	PLOCE_OE_USE_EOR_SIDCK+
	BCRES LOT BLK QIR SEC SEC IMP RGE COUNTY
	001 SENWSW 11 32M 37E UALLEY 002 NESWSW 11 32M 37E UALLEY

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

BRSIN 400
ABSTRACT OF WATER STELLT CLAIM

WATER#RIGHT#NUMBER#400x-W-077336-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICH, PRACTICES. MO77333-00, W077336-00.

THE DWRC EXAMINATION OF THIS CLAIM FOUND MO SIGNIFICANT FACTS, # DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF VOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING WIR RIGHT WITH OTHER CLAIMS IN THE BASH. FOR EXAMPLE, COMPARE PRIDGITY DATES, FLOW MATES, UND. UNES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUSTING BASHING OR SUBBRISTING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHT MAY BE

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SENTILLED "MOTICE OF ENTRY OF PRELITHINARY DECREE AND NOTICE OF RUALLBBILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN HOW) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWARE CREEK INCLUDING PORCLIPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4001-W-077337-00

IMPORTANT NOTICE

YOURS WATER RIGHT OR SHOWN ON THIS ABSTRACT HAY HAVE CHOINGES FROM YOUR MATER RIGHT HE SELLEND AS CLAIMED OR MERINDE. AN ASTRINGS (2) HAS BEEN PLACED HEXT TO BEN'T LEND THAN HE SEQUENCES AND CONSEQUATION CONCO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN MATER COURTY OF THE MATER RIGHT CLAIM EXAMINATION RULES AS ADCOPTED BY THE MONTHAN MATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT

UNAL	ITLED MOTICE OF ENTRY OF PRELIMINARY DECREE MID MUTICE OF MUNICABILITY." ESS BAICTED TO OR CALLED IN ON MOTION OF THE MONIFAMA WATER COURT IN THIS RREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23] MOTHAN COOK MONOTATED.
	DIMMERS: USA CDEPT OF INTERIOR BUREAU OF LAND MONTO PO BOX 36800 BILLINGS NT 59107
	PURPOSE_CUSE2: STOCK
*	SOURCE: LIME CREEK SOURCE TYPE: SURFACE WATER
	PRIDRILY_DRIE : APRIL 20, 1968 TYPE OF HISTORICAL RIGHT: USE
	ELDY_RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	LYPILUSE: .79 AF
	PERIOD DE USE : JANUARY OI TO DECEMBER 31
*	POINT OF DIVERSION AND MESUS OF DIVERSION:
	LDT_BLK_QIR_SEC_SEG_TMP_BGE_COUNTY
	O1 WENNE 12 32M 37E VALLEY DAM
	RESERVOIR:
	OTR SEC SEC_IMP_RGE_COUNTY
	O1 DHSTREAM WENNE 12 32M 37E VALLEY
*	PLACE_DE_USE_EDR_SIDCK:
	BCRESLDI_BLKQ18_SEC_SECIWP_BGE_COUNTY
	OO1 W2NWHE 12 32M 37E VALLEY
	DEMORYS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF

03/31/95 PAGE 3.627

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CHEEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077337-OOE(CONTINUED)

REMARKS CONTINUED .

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO REFERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077337-00. W077338-00-

A BETTER UNDERST AMDING OF YOUR CLAIMED WHIR RIGHT CAN BE USTAINED BY COMPRRIME YOUR RIGHT WITH OTHER CLAIMS IN THE BASH. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RRIES, UGLUMES, OR RICES IMPRIGATED. RSD. YOUR WHER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADDITING BASHING OR SUBBRISTS OF YOUR WATER RIGHT HAY BE SUBJECT TO THER RIGHTS ON YOUR SOURCE OF SUMPLY. FIMILY. YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL PRESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DATAC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFED IN THE DOCUMENT ENTITLED "MOTICED ENTRY OF RELITINARY DECREE AND MOTICE OF MORIGINALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR LIGHTED WATER RIGHT. THESE FINDINGS CH BE FOUND AS INDICATED IN THE DOCUMENT BRITTLE OF MOUTCE OF HIRTY OF PRELIMINARY DECREE AND NOTICE OF ALBERT BRITTLE OF ALBERT FOR THE PROCEDURES OF CHANGES IN YOUR RIGHT, YOU GROUND A BROWN SAFETY OF THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAM DINLY) OR 1-406-586-4364, OR BY WRITING 10 P. D. SEN 879, BOZZEMAN IN 59771-0879.

03/31/95 PRELIMINARY DECREE PAGE 3,660 HILK RIVER BELOW WHITEWHIER DREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERICHT MUMBER # 400 # - W-077338-00

IMPORTANT MOTTEE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CALIFED OR AMENDED. AN ASTERISK C.2.) AND BEEM PACED NEXT TO EACH TIEN COMMISSION OF THE DEPARTMENT OF MATURE, RESOURCES AND CONSCRIPTION COMES DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTTANA WATER COURSE ON WE WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE MOTTANA WATER COURSE ON THE WATER RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE MOTTANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT EMTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UN DE

Œΰ	.ESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHMA WATER COURT IN THIS CREEKE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SMOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23, MONTHMA CODE ANNOTATED.)
	DWHERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGHT)
	PO BOX 36800 BILLINGS NT 59107
	PURPOSE_CUSE2: WILDLIFE
*	SQUECE: LIME CREEK SQUECE TYPE: SURFACE WATER
	PRIDRITY DATE: APRIL 20, 1968 TYPE OF HISTORIUM RIGHT: USE
	ELDW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR.
	YDQ.U0E: 5.21 AF
	PERIOD_CE_USE: JANUARY O1 TO DECEMBER 31
*	POINT_DE_DIVERSION_AND_NEONS_DE_DIVERSION:
	LOT BLK OIR SEC.SEC.IMP_RGE COUNTY
	O1 WENNE 12 32M 37E URLLEY DAM
	RESERVOIR:
	QIR_SEC_SEC_IMP_RGE_COUNTY
	O1 DHSTREAM WENNE 12 32M 37E VALLEY
*	PLACE_DE_USE_EDR_WILDLIEE:
	GCRESLOI_BLKQIR_SEC_SEC_IMP_RGE_CDUMYY
	OO1 WENWE 12 32N 37E URLLEY
	REDORKS:
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK BRSIN 400

ARCTRACT OF WATER RIGHT CLAIM

WHITERERIGHTENUTIBERE400s-W-077338-DOE (CONTINUED)

REMARKS CONTINUED:

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RIJERNATE RND EXCHANCE THE USE (PURPOSE) OF THE WATER IN RECEIVED WITH HISTORICAL PRACTICES.

* THE FOLDOING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS

E EXAMINIST OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

WHESOLVED IF MO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRAINAGE RIGHT. 234 MONT. 343 (1984) (THE BERN LAKE CASE) THE NORTH AND ASSESSED OF THE PROPERTY OF

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. TOBE EXAMPLE, COMPARE PRIORITY DATES, FLOW ARRES, VOLLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT AND RESUBJECT TO WATER RIGHTS IN ADJUSTING BASINS DK SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGRADING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFED IN THE DOCUMENT ENTITLED "MOTILED FATRY OF PRELITAINAY DECREE AND NOTICE OF NORTH INTY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR LIARRED WASTER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MIDITED FINITY OF PRELIMINARY DETECT AND MIDITED FOR HOUSE OF THE MORE AND MOTICE OF A HOUSE OF THE MORE AND MOTICE OF THE MORE AND MOTICE OF THE MORE AND MOTION OF THE MOTION OUNT OF THE WATER COUNT BY CALLING 1-000-624-3270 CWITHIN MONTHAND ONLY) DR 1-406-596-4364, OR BY WFITING TO P. D. 80X 679, BOZZEMAN MI CASTI-0879.

03/31/95 PAGE 3.630

PRELIMINARY DECREE HILK RIVER BELOW WHITEWAYER CREEK INCLUDING PORCLUPINE CREEK BASIN 4000

ARSTRACT OF WATER RIGHT (1 ATH

WATERIRIGHTINUMBERI 4001-W-077339-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAILS CX) HAS BEEN PLACED NEXT ID EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (ONEX) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE MONTANA WATER COURT OF THE MONTANA WATER COURT OF THE MONTANA FOR THE MONTANA WATER COURT OF THE MONTANA W SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF MAKEABILITY."
UNKLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTHAN MATER COURT IN THIS CLAIMED WATER ALDET WILL APPEAR IN THE FINAL DECREE AS SHOWN IN INS ASSTRACT. (SE SECTION 65-2-23), MOTHANG CODE RINDINGED.

DAMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PO BOX 36800 BILLINGS

MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK SOURCE TYPE: SURFACE WATER

.79 AF

PRIGRITY DRIE: JANUARY OB, 1962 TYPE OF HISTORICAL RIGHT: USE

ELDY_RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR -**YOLUME:**

PERIOD_DE_USE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY DEBNS SWNESH 12 32N 37E URLLEY Dan

01 RESERVOTE:

OIR SEC SEC IMP RGE COUNTY

O1 DNSTREAM SWNESW 12 32N 37E UALIFY * PLOCE OF USE FOR STOCK:

BCRES LDI BLK GIR SEC SEC IMP RGE COUNTY

001 SWNESW 12 32M 37E URLLEY

REDBRKS+

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES MOI INCREASE THE EXTENT OF

03/31/95 PAGE 3.631

PRELIMINARY DECREE PROMITEMATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 PROSIN STRACT OF WATER RIGHT CLAIM

WATERIRIGHT INLITIBER #400g-W-077339-OO# (CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERWATE AND EXDIRINGE THE USE (PURPOSE) OF THE WATER IN RECEDEN UNIT HISTORICAL PRACTICES. W0773-99-00. M0773-90-00.

* THE ONC EMANCING OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 * DATA OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTAMMING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW ARRES, DUCLUMES, OR ACKES IRRIGATED. M. SO, YOUR WATER RIGHT MAY BE USUED TO OTHER RIGHTS IN ADJUINING BHSIMS OR SUBBRING AS WELL AS BEING SUBJECT TO OTHER RIGHTS OM YOUR SOMEC OF SUBPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLET DETAILS DEGRADING THE DANCE EXAMINATION RESULTS AND RELATED NATERIALS CAN BE REVIEWED AT THE DETICS LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODITIES ENTRY DETAILING DECREE AND NOTICE OF AUGLIBILITY."

SEE GEREAL FINDINGS OF FRIT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILED "WOULD BE FOUND AS INDICATED IN THE OCCURRING FOR THE FOUND AS A STATE OF THE OCCURRING FOR THE OCCURRING AS A STATE OF THE OCCURRING OF CHANGES IN CHARGES IN CHARGES IN CHARGES IN CHARGES IN CHARGES IN CHARGES IN C

PRELIMINARY DECREE HILK PIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

MATERIRIGHT INUMBER \$ 4001 - N-077340-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT HAY HAVE CHONGES FROM YOUR WATER RIGHT AS CAUTED OR REMODE. AN ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DOESNAME OF MITURAL RESOURCES AND CONSERVATION COMED DURING THE EMPHRISHM PROCESS. THESE CHANGES ARE PULTIVALED BY THE MONTHAW WATER COURT OF THE WATER RIGHT CLAIM EXPRINATION RULES AS ADDITED BY THE MONTHAW AND SUPPERE CURIT.

DEJECTIONS MY BE FILD ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT EMTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." BUNLESS BUSILTED TO DO CALLED IN ON MOTION OF THE MOTHEM MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN IN THIS ABSTRICT. (SEE SECTION 85-2-23), MOTHAMA CODE ANNOTATE.

DYSERS: USA C	DEPT OF INTERIOR	BUREAU OI	LAMO MGMT)	ı			
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2U82038_(USE2:	WILDLIFE						
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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERISHTENUMBERE 4002-V-077340-002 (CONTINUED)

REFERRIS CONTINUED:

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× × * • * THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PLERPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077339-OO, W077340-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWAR DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LIMPRESOLUED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE URLIDITY OF THIS HERE 15 A QUESTION RS TO THE VALIDITY OF THIS CLARKED RIGHT. IN THE HATTER OF THE DERRORM DATINGE REA, 234 MONT. 343 (1988) CTHE BEAN LAKE CASE) THE MONTHMAN SUPPERE COURT STATED. "IT IS CLEAR THEREFORE THAT UMPERS MONTHMAN LAW BEFORE 1973, NO APPROPRIATION RIGHT SHOWN WILLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, PLUM BRIES, VOLUMES, OR ACKES ISRIGHTED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJIGHTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, VOLW BATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRC EXAMINATION RESULTS AND RELATED HATERIALS

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCCUMENT ENTITLE OF ENTRY OF PRELIMENTY DEFER AND NOTICE OF AUNTLABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PRODEDUKES BY CHANGES TO YOUR KIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-62-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 59771-0879.

03/31/95 PRELIMINARY DECREE PAGE 3,634 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,634 HILK RIVER BELOW WHITEWATER RIGHT CLAIM ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400g-W-077341-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CHANGED OR AMENDED. AM ASTERIESK (E) HAS BEEM PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTO DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINA WATER COURT OF THE WATER RIGHT CLAIM EXMINATION RULES AS ADDRESS BY THE MONTAINA WATER SUPPLEME COURT.

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Ī	TITLED "MOTIC LESS DBJECTED TREE, THE ELE	BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT CE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY - TO OR CRULED IN ON MOTION OF THE MONTANN WATER COURT IN THIS PROCESS. THIS CLARED WATER RIGHT WILL APPEAR IN THE FIRML DECREE OF AMBITRACT. (SEE SECTION 65-2-23), MONTANG COME AND MATERIAL.
	PG	I CIDEPT OF INTERIOR BUREAU OF LAND MGNT) BIOX 36800 LINGS MT 59107
	PURPOSE_CUSE	E2: STOCK
	SDURCE	UNMARED TRIBUTARY OF LIME CREEK SOURCE TYPE: SURFACE WATER
	PRIORITY DE	TE: FEBRUARY 28, 1946 TYPE OF HISTORICAL RIGHT: USE
	ELDY BRIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	UDLUCE:	.79 AF
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	THE W	ATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE PLE USES OF THE SAME RIGHT. THE USE OF THE PIGHT

FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PAGE 3.635

PRELIMINARY DECREE NILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BRSIM 400 ABSTRACT OF WATER RIGHT CLAIM

MATERIRIGHTSHIPBERINGOS-W-077341-00x(CONTINUED)

REPIRKS CONTINUED:

THE WILEN KIGHT. RATHER IT DECREES THE RIGHT TO RETERMINE HAS USE (PUMPOSE) OF THE WATER MOCCOMD WITH HISTORICAL PRACTICES. MO77341-00, MO77344-00. THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW ARIES, UNLINES, OR ACKES IRRIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN POLICIAING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SUMPLY. FIMELLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RETURNED AT THE OFFICE LORGITORS IDENTIFIED IN THE OCCURENT ENTITLED "MODITIES OF EATRY OF PRELITATING DEFERS AND NOTICE OF MAILBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRILLEY "MOTICE OF HITTY OF PRELIMINARY DECREE AND MOTICE OF AUMAL MATTER TO THE THE THINDRY DECREE AND MOTICE OF AUMAL MATTER TO THE THE THE COURT BY COLLING PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1 - BOO-624-3270 CWITHIN MOTINIAN ONLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 679, BUZZENIAN MT 5977-10-879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTEHUMBERE400x-V-077342-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK C.X.) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTROL DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIN EXAMINATION RULES AS ADDPTED BY THE MONTANA SUPPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOLICE OF ENTRY OF RELIGIARRY DECREE AND NOTICE OF AUAIL ABILITY."
UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTANN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS ELEMENT WHERE RESIDENT WILL APPEAR IN THE FINAL DECREE SCHOOM ON HIS RESTRICT. SEE SECTION 85-2-233, MONTANG CODE ANNOTATES.

CHANGES: USA COEPT OF INTERIOR BUREAU OF LAND MENT) PO BOX 36800 BILLINGS 59107 PURPOSE_(USE): WILDLIFE * STILLRCE: LIME CREEK SOURCE TYPE: SURFACE WATER PRIORITY_DBIE: FEBRUARY 28, 1945 TYPE OF HISTORICAL RIGHT: USE ELOW_Bale: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR -UDLUE: 2.21 AF PERTOD OF USE: JANUARY OF TO DECEMBER 31 ≠ PDINI_OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWO RGE COUNTY MEANS 01 NESUNU 12 32M 37E VALLEY DAM RESERVOIR: OIR SEC SEC IMP_RGE_COUNTY___ O1 ONSTREAM NESUNU 12 32M 37E VALLEY ■ PLACE_DE_USE_EDR_WILDLIFE: - ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY NESUNU 12 32N 37E UALLEY 001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

PRELIMINARY DECREE PAGE 3,637 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077342-COECCONTINUED)

REMARKS CONTINUED:

٠ ŧ THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTOPICAL PRACTICES. W077342-00, W077343-0

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER IF THE DERRORM DRAHAGE AREA, 258 ADMIT. 343 (1980) CT.* BEAN LAKE CASE) THE MONTANA SUPREME COURT STRITED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW ARTES, UDLIVES, OR ACRES TRRIGATED. ALSO, YOUR WATER TIGHT ANY BE SUITED WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BLING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MORIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PRELITINERY DEFREE AND MOTICE OF MORITABLE THE PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTARM DNLY) OR 1-406-586-4364, OR BY WRITING TU

PRELIMINARY DECREE PAGE 3.638 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WRTER#RIGHT#NUMBER#400#-W-077343-00

THPORTANT NOTTEE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTRACT HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPRATEENT OF AMENDRAL RESOURCES AND CONSERVATION CONEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOPTE BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

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	PURPOSE_	(USE):	STOCK										
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REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3,639

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077343-00E(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077342-00.

THE DINCE EXPINIMATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RATES, UDLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBMESINS NO SUBMESINS NO SUBMESINS NO SUBMESINS OR SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUIZEWED AT THE OFFICE LOSTITUMS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILIABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURIL-BILITY." IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MI 5971-70879.

03/31/95 PRELIMINARY DECREE PAGE 3,640 RESTM 400 RESTM 400 RESTM 7

WATER#RIGHT#NUMBER#400#-W-077344-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATE'S RIGHT AS CLADMED OR AMENDED. AM ASTERISK (*) HAS BEEM PLACED NEXT TO EACH TEN CHAMBED BY THE DEPARTMENT OF MATUREAL RESOURCES AND CLASSERUATION COMEC DURING THE EXAMINATION PROCESS. THESE CHAMBES ARE AUTHORIZED BY THE MONTHAM MATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPREME COURT.

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	REMARKS:									

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT IMCREASE THE EXTENT OF

03/31/95 PRELIMINARY DECREE PREL 3,641 MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077344-00x(CONTINUED)

REMARKS CONTINUED:

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٠ 1 THE WATER N. SHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077341-00, W077344-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF HO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS INEME IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE HATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MONTHANA SUPPERNE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BESINS OR SUBBASINS AS VELL AS BEENE SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER "EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELITINARY DOCREE AND NOTICE OF AVAILABILITY." IF YOU WEED OBJECTION FORMS, OR HAVE QUESTIONS APOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-658-4364, OR BY WRITING TO P.O. BOX 879. BOZEMAN MT 59771-0879.

03-31/95 PRELIMINARY DECREE 03-31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WRTER#RIGHT#NUMBER#400#-V-077345-00

W077345-00, W077346-00.

IMPORTANT NOTICE

YOUR WHITER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHEMBES FROM YOUR WHITER RIGHT AS CLAIMED OR MEMBERS. AN ASTERISK WE AS 1 MAS BEEN PLACED NEXT TO ERCH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHORN WHITE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTHON WHITER SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AUGILABILITY." UNLESS OBJECTED TO DR CALLED IN ON MOTION OF THE MOTIFARA MATER COURT IN THIS DEDREE, THE ELEMENTS OF THIS CLRIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BASTRACT. (SEE SECTION 65-2-233, MONTANA CODE ANNOTATE).

	DEPT OF INTERIOR BUREAU OF LAND MGMT) X 36800 MGS MT 59107					
PURPOSE_(USE):	STOCK					
SOURCE :	UNNAMED TRIBUTORY OF LIME CREEK SOURCE TYPE: SURFACE WATER					
PRIORITY_DATE:	FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE					
* FLOW_RAIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR.					
VOLUME:	.79 AF					
PERIOD_DE_USE	JANUARY O1 TO DECEMBER 31					
* POINT_GE_DIVERSION_BEANS_DE_DIVERSION:						
	LOT BLK OIR SEC SEC IMP RGE COUNTY MEANS					
01	SESESE 15 32N 37E VALLEY DAM					
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	OIR_SEC_SEC_IMP_RGE_COUNTY					
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	ER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE TED. THEY SHARE THE SAME RESERUCIR. PO51971-00,					

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03/31/95 PRGE 3.643

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BROIN 400 ABSTRACT OF WHITE RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077345-002(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. V077345-00, V077346-00.

* THE DARK EXPANIATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * * DATES TO THE TOTAL OF THE PROPERTY OF THE PR

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. M.S.D., YOUR WATER RIGHT IN AN DESUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS DN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION PESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHANCY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "FINDITE OF ENTRY OF PRELITINARY DETERE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORTS, OR MAUE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT YOU AND CONTROLT THE WATER COURT BY CALLING 1-500-624-3270 (WITHIN NOVIGNA DAY) OR 1-406-586-4364, OR BY WRITING TO P. N. BOX 879, BOZEMAN NT 59771-0879.

03/31/95 PRGE 3,644

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTR:XCT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077346-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (*) MAS BEEN PLACED MENT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURE, RESOURCES AND CONSERVATION CONRC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTHMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHMA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." DE

LESS DBJE CREE, THE SHOWN ON	ELEMEN	ITS OF TH	IS CLAIM	ED WATE	RRIGHT	WILL	APPER	R IN	THE FINA	AL DECREE	
DYMERS:			NTERIOR	BUREAU	OF LAND	MGHT:)				
	BILLI	(36800 (GS		HT	59107						
PURPOSE_	CUSE):	WILDLIFE	:								
SOURCE:		UNNAMED SOURCE T			ME CREEK						
PRIDRIIY	PRIDRITY_DBIE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE										
ELDW_RAI	E:	NO FLOW THIS ONS				OR TH	HIS US	E FRI	DM		
UDLUME:		4.8	21 AF								
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POINI_DE	DIVER	SIDN_AND.	DEANS_DE	DIVERS	ION:						
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01			SESESE	15 321	1 37E URI	LEY			DAM		
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005 001					SWNESE SESE				UALLEY UALLEY		
REMARKS	t										
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. POS1971-00, WO77345-00, WO77345-00											

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03/31/95 PRGE 3.645

PREI THINARY DECREE MILK RIVER BELOW WHITE WATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

MATERIRIENTINUMBER: 400:-W-077346-00:(CONTINUED)

REMORKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERA, PURPOSES DOES NOT INDERSES THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESS THE RIGHT TO MITTERNITE AND EXCHANGE THE USE OUR POSE OF THE WATER IN ACCORD, WITH MISTORICAL PRACTICES. W077345-00, W077346-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DANCE OURING ITS **
EXHRITATION OF THIS WHITE REGHT CLAIM. THESE ISSUES HAY REHAIM ** INCRESOLUED IF NO DAJECTIONS PORE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS INERE IS A QUESTION MS TO THE DELIDITY OF THIS CRITTED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REER, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANS UPPERE COURT STATED: "I IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT TITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACKES ITERIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ROTICE OF ENTRY OF PRELIMINARY DECRETA AND MOILE OF AUAILABILITY". IF YOU REED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES ID YOUR RIGHT, YOU FOR CONTROL THE WATER OURT BY CRILING 1-BOO-624-325 (VITHIN HONTANA DRILY) OR 1-406-506-4364, OR BY WRITING TO P.D. BOX B79, BOZEMAN NT 55771-0079.

03/31/95 PRELIMINARY DECREE PAGE 3,646 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077347-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OF AMENDED. AN ASTERISK (#) HAS BEEN PLACED MENT TO EACH ITEM CHANGED BY THE CEPARTHANT OF MATTHEM, RESOURCES AND CONSERVATION (ONEX) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN BATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN BATER SUPREME COURT.

DIBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT EN UNI

Ļ	TILED "MOTICE OF ENTRY OF PRELITATINGY DECREE AND NOTICE OF AUGUSTATION OF SESSIBLECTED TO OR CALLED IN OM MOTION OF THE MONTAINE WHER COURT IN THIS REE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. CSEE SECTION 65-2-23, MONTAINE CDDE ANNOTHED.)	
	OMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800	
	BILLINGS MT 59107	
	PURPOSE_(USE): WILDLIFE	
	SOURCE: BLACKTAIL COULEE SOURCE TYPE: SURFACE WATER	
	<u>PRIDRITY DATE: DECEMBER 31, 1946</u> TYPE OF HISTORICAL RIGHT: USE	
	ELOW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DHSTREAM RESERVOIR.	
	VOLUCE: 4.21 AF	
	PEBIOD_DE_USE: JAMUARY O1 TO DECEMBER 31	
	PDIMI_DE_DIVERSION_AND_MEANS_DE_DIVERSION:	
	LOI.BLK_QIR_SEC_SEC_IMP_RGE_COUNTYMEANS	_
	01 SWNENE 27 32N 37E URLLEY DAM	
	RESERVOIR:	
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	D1 ONSTREAM SWINENE 27 32N 37E VALLEY	
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	BEDORKS:	
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCRENSE THE EXTENT OF	

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03/31/95 PRSE 3.647

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 4000

ARSTRACT OF WATER RIGHT CLAIR

WATERIRISHTENUMBERE400E-W-077347-001(CONTINUED)

REMARKS CONTINUED:

* * * *

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. WO77347-00.

*** THE FOLLOWING ISSUES WEREE IDENTIFIED BY THE DING UNING ITS *

** EXPRIMITION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *

*** LIMPESCULOU IF HO DELECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE UALIDITY OF THIS LARIED RIGHT. IN THE MATTER OF THE DEMANDER DRAINAGE REA, 23 AND THE 34 (1988) (THE BEAN LAKE CREET THE MUNIAMS SUPPERME COURT STRIED: "IT IS CLEAR THEREFORE THAT UNDER TONT AND LAW BETTHE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECRETION, FISH AND VILLIEF, EXCEPT THROUGH A TURNY RIGHT STRUTE."

A SETTER UNDESTANDING DE YOUR CLAIMED MATER RICHT CAM SE OSTATMED BY COMPARIME VOURR RICH WITH GINER CLAIMES IN HE BOSIN FOR EXPRISE COMPARE PEIDRITY DATES, FLOW RATES, VOLUMES, DR AGRES IRRIGATED. ALSO, YOUR WATER RICHT HAY BE SUBJECT TO WATER KIGHTS IN ADJOINING BESING DR SUBBESING BY SUBFISHED SHOULD SUBJECT TO THORN RESERVED AND FEDERAL RESERVED WATER RICHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RICHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RICHTS.

COMPLETE DETRILS REGARDING THE DIRC EXMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LIGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENERY OF PRELIMINARY DETRE AND NOTICE OF ANAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTY OF PRELIFINARRY DETRE AND MOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-900-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0875.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WHITE RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077348-00

IMPORTANT NOTICE

SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTITE OF ENTRY OF PRELIMINARY BEFER AND MOTITE OF GRANTLABILITY.

UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA MATER COURT IN

E S	SHOWN ON	ELEMENTS OF THIS T THIS ABSTRACT. (S	LAIMED SEE SECT	ION 82-5-53:	WILL RPP 3, MONTAN	A CODE ANNOTATE	D.)
		USA (DEPT OF INTER PO BOX 36800 BILLINGS	RIOR BUR		MGHT)		
	PURPOSE_C	USE2: STOCK					
*	SOURCE	BLACKTAIL CI SOURCE TYPE		CE WATER			
ŧ	PRIDRITY	DBIE: DECEMBER 31 TYPE OF HIS	1946 TORICAL	RIGHT: USE			
	ELOW_BRIE	NO FLOW RATE			FOR THIS	USE FROM	
	VOLUME:	.79 A	F				
	PERIOD_DE	_USE: JANUARY 01	TO DECEM	BER 31			
	POINT DE	DIVERSION_AND_MEA	S_DE_D1	VERSION :			
		LDI BLK_QIR	SEC SEC	_IME_BGE_CO	UNIY	BEBNS	
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	01 DNS1	REAM 5W	NENE 27	32N 37E UA	LLEY		
*	PLOCE_DE_	USE_EOR_SIDCK+					
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	001 002			SZHENE NESENE	27 321 27 321	37E VALLEY	
	PEMARKS.						

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077348-002(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077347-OD, W077348-OD.

THE DMRC EXMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

ENVESTIGATION OF THE STREET THE STREET CO. THE STREET CO.

A BETTER UNDERSTMONING DE YOUNG CLAIMED WATER RIGHT COM BE DENAIMED BY COMPARING YOUNG RIGHT WIN OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARED PRIORITY DATES, FLOW RATES, UGLUES, ON ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISTNS OR SUBBRISTIN SHELL AS BETTM SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTENED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PREININARY DEFRE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1—800-624-3270 (WININ HONTANN DHLY) OR 1-406-586-4364, OR BY WRITING TO P.D. 80X 879, BOZERAM HT 59771-0679.

03/31/95 PAGE 3,650

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING POPCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077349-OO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOOSES FROM YOUR WATER RIGHT AS CLAIMED OR MISMOSD. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAN, RESOURCES AND COMPSENDING MORE) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MORTHMY WATER COURT OF THE MORTER KIDHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTTAMEN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTITE OF ENTRY OF PRELITARY DECRE AND MOTITE OF ANALHBILITY -- UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTHAN BATE COURT IN THIS CLAYMED WATER KIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS RESTRICT. (SEE SECTION 85-2-233, MONTHAIR DOC MANDIATED.) DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE_(USE): STOCK BLACKTAIL COULEE * SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 17, 1937
TYPE OF HISTORICAL RIGHT: USE FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UDLUME:** .79 AF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 * POINT_DE_DIVERSION AND MEANS_DE_DIVERSION: LOT BLK OTR SEC SEC TYP RGE COUNTY ____DEBNS_ 01 SEMENW 27 32N 37E VALLEY DAM RESERVOIR: OIR_SEC_SEC_IMP_RGE_COUNTY_____ O1 ONSTREAM SENENW 27 32H 37E VALLEY * PLACE DE USE FOR STOCK+ --- OCRES LOI BLK QIR SEC SEC IMP RGE COUNTY 001 27 32N 37E UALLEY SENENU REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES POES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3,651

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: - W-077349-00: CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077349-00, W077350-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN - GR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, DULUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT ANY DE SUBJECT TO WATER RIGHTS AND ADDINING BRAINS OR SUBBRISHS NO BY BELL AS BEING SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEERAM. RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED "MOJICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORRS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 CWITHIN MONTARY DRLY2 DR 1-406-586-4354, OR BY WRITING TO P.O BOX 879, BOZEMAN MT 59771-0879.

03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,652 BASIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077350-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONNECT DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WHER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTHAM WHERE SUPREME COURT.

OBJECTIONS HAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITIED "MOTICE OF ENERY OF PRELITIENRY DECREE AND MOTICE OF AUGILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WRITE COURT IN THIS

CREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)					
DYNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)					
BILLINGS MT 59107					
PURPOSE_CUSE2: WILDLIFE					
SOURCE: BLACKTAIL COULEE SOURCE TYPE: SURFACE WATER					
PRIORITY DGIE: APRIL 17, 1937 TYPE OF HISTORICAL RIGHT: USE					
ELOW_ROIE: HO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.					
VOLUME: -19 RF					
PERIOD_DE_USE: JRHURRY 01 TO DECEMBER 31					
POINT OF DIVERSION AND DEBUS OF DIVERSION.					
LOT BLK OTR SEC SEC TWP RGE COUNTY MEBNS					
01 SENENW 27 32N 37E VALLEY DAM					
RESERVOIR:					
SIR SEC SEC INP RGE COUNTY					
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PLACE_DE_USE_EDR_WILDLIEE:					
ACRESLOI_BLKOIR_SEC_SEC_IMP_RGECOUNTY					
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REMORKS:					
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES HOT INCREASE THE EXTENT OF					

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03/31/95 PAGE 3.653

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUTEDERE4001-W-077350-004 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077349-00, W077350-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

E EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UMRESOLUD IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLATMED RIGHT. IN THE NATITER OF THE DERROWN DRAININGS AREA, 234 MONT 343 (1980) CTHE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED; "IT IS CLEAR THEREFORE THAT UNDER MONTAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONCIED FOR RECREATION, FISH AND VILOLIFE EXCEPT INKOUGH A HUMPHY RIGHT STRUIT."

A BETTER UNDERSTI NOING DE YOUR CLAIMED WATER RIGHT CAN PE DETATNED BY COMPARING YOUR RIGHT WITH : THER CLAIMS IN THE BRESH. FOR EXAMPLE, COMPARE PRICEITY DATES, FLOW RATES, VOLLUFES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAV BE SUBJECT TO WATER RIGHTS IN ADJUSTATION BASIS OR SUBBRESTA RS WELL AS BETTING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF A MALE LABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AWAILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 CMITHIN MONTAND DAY! OR 1-406-566-4364, OR BY WRITING TO P.O. 800 879, BOZEMAN MT 59771-0879.

03/31/95 PRGE 3.654

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLLIDING PORCUPING CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRA SHT ENUMBER: 4002-W-077351-00

THPORTANT MOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHARGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERTSK (2) HAS BEEN PLACED NEXT IT AND ITEM HAVED BY THE DEPARTMENT OF MATURAR RESOURCES AND CONSERVITION (DAWL) DURING THE EMPRINATION PROCESS THESE CHARGES RER BUTHORIZED BY THE MOTHRN MITER CHARGES HER PROFILE BY THE MOTHRN MITER WATER KIGHT CLAIM EXAMINATION RILLES AS ADDITION BY THE MOTHRN BY THE BY THE MOTHRN BY THE BY SIPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELIGINARY DECREE AND MOTICE OF AUGITABILITY."

MALES OBJECTED TO DR CHLLED IN HOTTON OF THE MONTHAN WHERE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHER RIGHT WILL APPEAR IN THE FIRM, DECREE AS NOWN ON THIS ABSTRACT. CSEE SECTION 85-2-239, MONTHAN CODE ANNOTHED.

USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PD BOX 36800 OWNERS:

BILLINGS

59107 Kī

PURPOSE_CUSED: WILDLIFE

: SDURCE: UNNAMED TRIBUTARY OF BLACKTAIL COULEE SOURCE TYPE: SURFACE WATER

4.79 AF

* PRIORITY DATE: DECEMBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RATE:

UDLUME:

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND DEANS OF DIVERSION :

LOT BLK QIR SEC SEC TYP RGE COLINIY MEANS.

NESENY 27 32H 37E URLLEY

RESERVOIR :

01

DIR SEC SEC TYP RGE_COUNTY

DAM

* PLBCE_OF USE FOR WILDLIFE:

DNSTREAM

NESERV 27 328 37E URLLEY ACRES LDI BLK OTR SEC SEC IVP RGE COUNTY

001 N2SENW 27 32N 37E UALLEY

BEUBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,655

POFI THINGRY RECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHT STREETHER \$400x-V-077351-00x (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURACY WITH HISTORICAL PRACTICES. W077351-00. W077352-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWRC DURING ITS EXMINITION OF THIS WHER RIGHT CLAIM. THESE ISSUES HAY REMAIN UNRESOLUED IF MOBILECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORN DRAINAGE RECA, 234 MONT 343 C1998) THE BERN LKK CASE) THE MONT AND SUPERE COURT STATED: "II IS CLEAR THEREFORE THAT LUNGER MONTAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURRHY MIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UCLUMES, DR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLITE DETRILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RWAILABILITY." IF YOU NEED GBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROTECURES OR CHANGES IN YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-BOO-624-3270 CYTININ "ATHAN DALLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BDZCAM" 1771-0779.

03/31/95 PRGE 3.656

PRELIMINARY DECREE PRELIMINARY DELKER PRELIMINARY DELKER PRELIMINARY DELKER PRELIMINARY DELKER

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT ENLIMBERIAGES - W-077352-00

IMPORTANT NOTICE

YOUR WRIER RIGHT AS SHOWN ON THIS RESTRET MAY MAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMOED. AN ASTERISK (1) HAS BEEN PLACE NEXT TO EACH ITEM THE EXAMINATION PROCESS. THESE CHANCES ARE ANTHORIZED BY THE MONTHAN DUTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTHAN WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTHAN

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITITIONSY DECREE AND NOTICE OF AVAILABILITY." UMESS OBJECTED TO BE CALLED IN ON HOTION OF THE MONTHING WHER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSEE SECTION 85-2-233, MONTHING CODE PROMOTRIED.)

DWNFRS : USA (DEPT OF INTERIOR BUREAU OF LAMD MGMT)

BILLINGS

PURPOSE_CUSE): STOCK

* SOURCE : UNNAMED TRIBUTARY OF BLACKTAIL COULEE SOURCE TYPE: SURFACE WATER

E PRIDRITY DATE: DECEMBER 31, 1967 TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME : .79 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT DE DIVERSION OND DEAMS DE DIVERSION:

01 MESENW 27 32H 37E UALLEY

59107

RESERUDIR .

QIR_SEC_SEC_TAP_ROE_COUNTY_____ 01 DNSTREAM

* PLBCE_DE_USE_EDB_STOCK:

MESENY 27 32H 37E UALLEY -_-BCRES____LDI_BLK_QIB_SEC_SEC_IMP_RGE_COUNTY____

001 NESENW 27 32N 37E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARC MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

¥ E 22 DAM

03/31/95 PRGE 3,657

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERI4001-V-077352-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077351-00, W077352-00.

THE DATE. EXAMINATION OF THIS CLAIM FRAND NO SIGNIFICAN FACTS, ... DATA, DR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIRRITY DATES, FLOW RATES, UNDILINES, OR CACES TRATEGATED. R.S.D., YOUR WATER RIGHT IN ADJUSTING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO OTHER RIGHTS IN ADJUSTING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO LIMINAY RESERVED AND FEDERAL RESERVED MATER RIGHT HAY BE SUBJECT TO LIMINAY RESERVED AND FEDERAL RESERVED MATER RIGHT HAY BE SUBJECT

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS AND BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF AMBLEDILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS DOILCATED IN THE DOCUMENT ENTITLED "MOTITED OF ENTITY OF PREINTHARY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED OBJECTION FORS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-800-624-32-70 (WINTH HONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZERN NT 5977-10879.

03/31/95 PRGE 3,658

PRELIMINARY DECREE HILK RIVER SELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACE OF WATER RIGHT CLAIM

WATER = RTGHT = NUTBER = 400 = -0-077353-00

**** THIS WATER RIGHT OF ATH HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT)

BILLINGS

MT 59107

PURPOSE_(USE): STOCK

SOURCE: VELL

THE .

PRIDRITY DATE:

FLOW_RBIE:

VOLUME:

PERIOD DE USE:

POINT DE DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

01

NESW 32 32N 37E VALLEY

PLACE DE USE EOR STOCK :

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED
AS THE CLAIMANT WITHOREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIABILITY. - UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAM WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL SPEAR IN THE FINAL DECREE AS SMOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAM COOR ANNOTATED.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "MOTICE OF ENTRY OF PREININARY DECREE AND NOTICE OF THEY OF PREININARY DECREE AND NOTICE OF AWAILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHIER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEFARM NT 5377-10479.

03/31/95

MILK RIVER BELOW WHITEWHIER CREEK DICLUDING PORCUPINE CREEK

ARSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENLETBERE400x-0-077354-00

THIS WATER RIGHT CLAIN HAS BEEN TERMINATED ***** *****

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800

MT

BILL THES PURPOSE (USE): WILDLIFE

SOURCE: WELL

PRIORITY DATE:

FLOW RATE:

UCL LIME:

PERIOD DE LISE :

POINT OF CIVERSION:

PLACE DE USE FOR VILOLIFE:

LOT BLK OTP SEC SEC TWP RGE COUNTY

01

NESW 32 32N 37E UALLEY

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DHRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED * AS THE CLAIMANT NUTHOREW THE CLAIM.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIMINARY DECKEE AND NOTICE OF AUGUSTALITY.—
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN 1115 DECKEE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRM DECKEE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION DF YOUR CLAIRED WATER REGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ENTITLE OF BELLITHARY DECREE AND NOTICE OF BRITTEN OF PRELITHARY DECREE AND NOTICE OF ROMAINE GUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-62-32TO CWITHIN HOWINAND ONLY) OR 1-406-586-4564, OR BY WRITING TO P.O. 80X 979, BOZEMAN MT 5977-0874.

PRELIMINARY DETREE PROFE 3,560 HILK RIVER BELOW WHITEWHIER CREEK INCLIDING PORCUPING CREEK BRS14 800

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077355-00

REDORKS:

IMPORTANT NOTICE

YOUR MATTER RIGHT RS SHOWN ON THIS RESTRICT MAY MAVE CHARGES FROM YOUR WATER RIGHT AS CLARIBLE OR AMENDED. AN ESTERISK OF MEET PRACTICENT TO EACH TICK CHARGED BY THE DEPARTMENT OF MATURAL PESONNESS AND COMMERCIATION OF COMPLETE FOR THE EXMITINATION PROCESS. THESE CHARGES ARE AUTHORIZED BY THE DOWNER OF THE COURT OR THE WORLD AND THE FOR THE COURT OR THE WORLD AND THE MONTH AND THE FOR THE COURT OR THE WORLD AND THE MONTH AND THE MON

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED -MOTICE OF ENTRY OF PRELIMINARY DECRE AND MOTICE OF AURILABILITY."
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DE RS	CREE, THE SHOWN ON	THIS	NTS OF T ABSTRACT	HIS CLAIM - CSEE S	ED WATE ECTION	R RIGHT W 85-2-233,	MON	RPPEA TANA	R IN T	HE FIN	RAL DECREE ED.)	
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I 22

03/31/95 PAGE 3,661

PRELIBINARY DECREE PRIMITEWATER CREEK INCLUDING PORCUPINE CREEK BISTN 400 APSTRACE OF MATER RICHAL CLAIM AND APSTRACE OF MATER RICHAL CLAIM

WATERERIGHTENUMBERE4002-W-077355-001(CONTINUED)

PERSONS CONTINUES.

1

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERA PUMPOSES DOES NOT INDEREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE ON EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURO WITH HISTORICAL PRACTICES.

WO77355-00. W077355-00. W077355-00. W077355-00. W077355-00.

I THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

2 EXPRINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

3 UNKERSULUED IF NO BRIECTIONS ARE FILED.

THERE IS A QUESTION AS 10 THE UALIDITY OF THIS CLAIMED RICHT. IN THE MAITER OF THE DEARBORN DRAIMAGE AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE HIGHTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAMA LAW BEFORE 1973, NO APPROPRIATION RICHT WAS RECONTIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATURE."

A BETTER UNDERSTANDING OF YOUR CLRIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BESIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASIMS OR SUBBRING AS WELL AS BEING SUBJECT TO DITHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OFFICE LOCATIONS TORTHITIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMITARRY DECRE AND MOTICE OF AWAILABLITY."

SEE GEMERAL FINDINGS OF FROT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DECIMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIABILITY." IF YOU MEED DESICTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT BY PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-F624-3270 (WITHIN MONTANN DMLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 80278M MT 5977-1-0879.

PRELIMINARY DECREE PAGE 3,662 MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BASIN 400

WATERERIGHTENLIMBERE400#-W-077356-00

1

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHBNGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGE BY THE DEPARTMENT OF HATUREN, RESOURCES AND CONSEQUATION (ONRC) DURING THE EXAMINATION PROTESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MONTANA SUPREME COURT.

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* K 22

03/31/95 PAGE 3.663

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT #MUMBER#400x-W-077356-OOx (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE THE TIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RITHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77355-00, W077356-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER LYMPERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER LIAINS IN THE BYSIN. FOR EXYMPLS, COMPANE PRIDGITY DATES, FLOW WATER S. UOLUMES, OR ARES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRING AS SUBJECT OF THE RIGHT S. OR SOURCE OF SUMPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MONTER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTIFLED **NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RUPILABILITY.**

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED PROTICE OF ENTITY OF PRELIMBARY DEFRE AND NOTICE OF ANALISALITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN COFFACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTHAN DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. ROX 879. BOZEMAN MT 59771-0879.

03/31/95 PRGE 3.564

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTROCT OF MATER RIGHT CLATH

WATERERIGHTENUMBERE4002-W-077357-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOMISES FROM YOUR WATER RIGHT AS CLAIMED OR MICHOED. AM ASTERISK (2) HAS BEEN PLACED MENT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND COMPENSATION FROM SOME COURT OF THE EXPANDATION PROCESS. THESE CHANGES ARE MITHOLIZED BY THE MONTHAN HATER COURT OF THE WATER RIGHT CLAIM EXPANIMATION RULES AS ADDITED BY THE MONTHAN SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CUITLINED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANALHBILITY."
UNLESS OBJECTED TO DIE CALLED IN ON MOTION OF THE MONTHMA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE AS SUDWIN ON THIS RASTRACT. (SEE SECTION 88-2-233, MONTHMAN GOOD AMBORISTICS).

USA COEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 DIMERS: BILLINGS MT 59107 PURPOSE_CUSE2: WILDLIFE UNNAMED TRIBUTARY OF ALKALI CREEK SOLIBCE : SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 01, 1942 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW_RATE: UOLLIME : 2.21 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * PDIMI_OE_DIVERSION_AND_MEANS_OF_DIVERSION: LOI_BLK_ QTR SEC SEC. IMP RGE COUNTY ______MERNS__ 01 EZNENE 34 32N 37E URLLEY DAM RESERVOIR: _____9IR_SEC_SEC_IMP_RGE_COUNTY_____ 01 DNSTREAM EZNENE 34 32N 37E VALLEY PLACE OF USE FOR WILDLIFE: ___OCRES____LDI_BLK__QIR_SEC_SEC__IMP_RGE_COUNTY_____ 001 HENE 34 32N 37E VALLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRGE 3,665

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER ARTISH TAMURBER \$400 x - W - 077357 - OOx (CONTINUED)

REMARKS CONTINUED:

1

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077357-00. W077350-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ORD UNKING ITS

EXMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

WHEREOUVED IF NO SOLECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 AUNT. 343 (1998) (THE BERN LAKE CASE) THE MONTANA SUPECHE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAN LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND UTILDLIFE, EXCEPT THROUGH A MILETY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIM. THE EASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITER RIGHTS IN AUJUNING BASIMS OR SUBBASIMS AS WELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS PECARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REDITEMED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ANALABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE COCUMENT ENTITLED "MOTICE OF ENTRY OF PREINTHARY DEFRETE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-BOO-624-3270 CVITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, SOZEMAN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077358-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) HAS BEEN PLACED MENT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONDESCRIATION COMED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAMA SUPPRINE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

DECREE. THE	ELEMENTS OF THIS (IN ON BOTTOM OF THE MOTHER WHIER CHIRLD IN THE FINAL DECREE SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)
DWMERS:		RIOR BUREAU OF LAND MGMT)
	PO BOX 36800 BILLINGS	MT 59107
PURPOSE	CUSED: STOCK	
SOURCE :		BUTARY OF ALKALI CREEK . SURFACE WATER
PRIDRITY	C_DBIE: JULY 01, 19 TYPE OF HIS	42 TORICAL RIGHT: USE
ELOW_RO		E HAS BEEN DECREED FOR THIS USE FROM AM RESERVOIR.
ADTABE:	.79 A	F
PERIOD_	DE_USE: JANUARY 01	TO DECEMBER 31
* FOIRI OF	E_DIVERSION_AND_MEA	MS_DE_DIVERSION:
	LDT_BLKQIR	SEC_SEC_IVE_RGE_COUNTYMEANS
01	ES	NENE 34 32N 37E VALLEY DAM
RESERVO	IR:	
	9IR	SEC_SEC_IMP_RGE_COUNTY
01 DN:	STREAM EZ	NENE 34 32H 37E URLLEY
PLOCE_D	E_USE_FOR_SIOCK:	
	8CRES	LOT BLK OIR SEC SEC IMP RGE COUNTY
001		NEHE 34 32N 37E VALLEY

REMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PAGE 3,667

PRELITINARY DECREE HILK RIVER BELOW WHITEMFER CREEK INCLUDING PORCUPINE CREEK BISIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHT: NUMBER: 400x-W-077358-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER WATER TO ACCURE WITH HISTORICAL PRACTICES.

THE DWG EMMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1 DATA, DR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIGRITY DATES, FLOW RATES, JUDUNES, OR ACRES TAXIBATED - BLOS, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITIFIARY DETREE AND NOTICE OF PARALABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTILED - MOTICE OF BRITSY OF PRELITINIARY DECREE AND NOTICE OF REPAILABILITY." IF YOU NEED DAJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTARA ONLY) OR 1-406-585-4364, OR BY WRITING TO P. D. BOX 879, BOZEMAN MT 5971-0975.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASH 400

ABSTRACT OF WATER RIGHT CLAIM

WRIERERIGHTENUMBERE4005-W-077359-00

OOZ REMARKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCOUNTING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDIED BY THE MONTAMA SIPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILIMED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 65-2-23) MONTANA COME ANNOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGHT) 59107 BILLINGS MT PURPOSE (USE): VILOLIFE * SOURCE: ALKALI CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: MAY 07, 1969
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE: THIS ONSTREAM RESERVOIR. UOLUME: 9.21 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 # POINT OF DIVERSION BND MERNS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS NENUSU 35 32H 37E UALLEY DAM 01 RESERVOIR: DIR_SEC_SEC_TYP_RGE_COUNTY_ NENUSU 35 32H 37E UALLEY O1 ONSTREAM THE DAM EXTENDS INTO NUMESU SEC 35 TWP 32M RGE 37E UALLEY COUNTY. * PLACE DE USE ECR WILDLIFE: __OCRES ____LDI BLK_QIR_SEC_ SEC_IMP_RGE_COUNTY_

> NUNESW KENDSW

> > **★** B 23

03/31/95 PAGE 3,669

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT:NUMBER:400x-W-077359-00:(CONTINUED)

REMARKS CONTINUED:

1

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILITIRE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SCUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DEERES THE RIGHT TO HERMIE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

INTERPOLICE IN THE FOLLOWING ISSUES WERE "DENTIFIED BY THE DARC DURING ITS INTERPOLICE INT

THERE IS A GUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORM DRAINAGE RERO, 234 MOINT. 343 (1988) (THE BEAN LAKE CASE) THE MONITAIN SUPREME COUNT STATED: "II IS CLEAR THEREFORE THAT UNDER MONITAIN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY OATES, FLOW RATES, JOULNES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY DE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DINC EXAMINATION RESULTS AND RELATED MATERIALS CEAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ROALLABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHIER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED POINTIE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BDO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BDX 879, BOZEMAN MT 5977-10679.

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-077360-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MARY HAVE CAMBES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSETSK (2) HAS BEEN PLACED NEXT TO RENT IN THE AMENDED HAVE A MASTERISK (2) HAS BEEN PLACED NEXT TO RENT TO REN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF MUNICIPALITY.

UNLESS BUSITED TO GR CALLED IN ON MOTION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELECTRYS OF THIS CLARKED WHITER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON HIS ROSTRACT. SEE SCILION 85—2-23, MOTHAN COUR RINGTARED.) DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO 80X 36800 BILLINGS 59107 PURPOSE (USE): STOCK ALKALI CREEK SOURCE TYPE: SURFACE WATER * SOURCE: PRIORITY DATE: MAY 07, 1969
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. UOLUME: .79 RF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 ■ POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IVE RGE COUNTY. MEANS. ល៖ HENUSU 35 32N 37E VALLEY DAM RESERVOIR: OIR SEC SEC IVE RGE COUNTY O1 DHSTREAM NEMUSW 35 32M 37E URLLEY THE DAM EXTENDS INTO THE NUMESH SEC. 35 TWP 32N RGE 37E VALLEY COUNTY. * PLACE OF USE FOR STOCK: OCRES LOT BLK OIR SEC SEC TYP RGE COUNTY 001 NUMESU 35 32N 37E VALLEY NENWSU 35 32N 37E VALLEY 200 REMORKS

PRELIMINARY DECREE PAG HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077360-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MILITALE USES OF THE SARE RIGHT. THE USE OF THE RIGHT FOR SEUERA, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WHIER RIGHT. RATHER IT DECREES THE RIGHT TO HERMATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW PATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAPLIABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT HITLIED "NOTICE OF ENTRY OF PRELITIORARY DECREE AND NOTICE OF ROAIL ABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PY CALLING PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOOD—624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZERAM NT 59771-70879.

PRELIMINARY DECREE PRELIMINARY DECREE PAGE 3,672 BRILL RIVER BELOW WHITEWARER CREEK THOLUDING PORCUPINE CREEK BRILL 400

ABSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENUMBER: 400x-W-077361-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MHEMBED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND COMPSEASAIDH COMPC) DUIRING THE EXAMINATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTHAM WATER COLUMN TO THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAM SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND MOTICE OF AUGUSTATIVE" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIMEN MATER COURT IN THIS CLAIMED WATER TIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SCIION 85-2-23), MONTHAN CORREMINDTATE.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MIGHT) PD 80X 36800 BILLINGS ĦΤ 59107 PURPOSE (USE): VILOLIFE BLACK COULEE SOURCE TYPE: SURFACE WATER # SOURCE: PRIDRITY DATE: AUGUST 10, 1963
TYPE OF HISTORICAL RIGHT: USE ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. 3.71 AF UDLUME: PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC TAP RGE COUNTY BEBUS 01 MESWNE 35 32N 37E VALLEY RESERVOIR: OIR_SEC_SEC_TAN RGE_COUNTY O1 OMSTREAM HESWNE 35 32H 37E VALLEY * ELOCE_DE_USE_EDR_WILDLIEE: ACRES LOT BLK OIR SEC SEC INP RGE COUNTY 35 32H 37E VALLEY 001

200 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

35 32H 37E VALLEY

PRELIMINARY DECREE HILK RIVER BELOW WHIFEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER * RIGHT * NUMBER * 400 * - W-077361-00 * (CONTINUED)

REMARKS CONTINUED:

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*

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W0:7361-00, W0:7362-00.

THE COLUMING ISSUES WERE IDENTIFIED BY THE DINAC DURING ITS
EXPRIMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
E UNHESONED IF MO DOLECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CARRED RIGHT. IN THE MATTER OF THE DERREDGEN ORALINGEREN, 23 MONT. 383 C198D (THE BERN LANKE CASE) THE MONTANA SUPPREME COURT STATEO: "IT IS CLEAR THEREOME THAT UNDER MONTANA LAW BEFORE 1937, MO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING DE YOUR CLAIMED WATER RIGHT CAN DE OBTAINED BY COMPARING YOUR RIGHT WIN OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW MATERS, VOLUMES, OR ACRES IRRIGATED. N.SO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRASINS OR SUBBRSINS AS WELL AS ELENG SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAD FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTITIED IN THE DOCUMENT ENTITLED "MOTICO OF ENTRY OF PRELIMINARY DECREE AND NOTICE DE AUGILABILITY."

SEE GENERA, FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMSD WHER RIGHT. THESE FINDINGS CAN BE FOLUMD AS INDICATED IN THE DOCCLIMENT RHITLED "NOTICE OF ENTRY OF PRELIMINARY DEFERE AND NOTICE OF RUALLABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WHITE COURT DY CALLING 1-800-624-3270 (WITHIN MONTANA DMLY) OR 1-406-596-4364, OR BY WRITING TO P.O. 80X 679, BOZEMAN MT 5977-10679.

03/31/95 PRELIMINARY DECREE HILK RIUGER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK HILK RIUGER BELOW WHITEWATER CREEK THOLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATERERICHTENUMBER \$400s-W-077362-00

IMPORTANT NOTICE

YOUR WITE RIGHT AS SHOWN ON THIS RESTRACT THAY HAVE CHOOSES FROM YOUR WATER RIGHT AS CARMED OR MIRNOED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONRC) DURING THE EXMINISTION PROCESS. THESE CHANGES ARE MUTHARIZED BY THE MOTHAN WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ROOPTED BY THE MOTHAN ATER SUPPRIES COURT.

1	JECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT TITLE "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUMIL ABULITY." RESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS CHEEK, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN OF THIS RESTRACT. (SEE SECTION 89-2-233, MONTHAN CODE INNOTATED.)												
3	SHOWN ON	THIS F	BSTRACT.	(SEE 5	ECTI	3M 8	5-2-233	, MON	ITANA	CODE	ANNOTATE	0.0	
	DWNERS:	USA (C PO BOX BILLIN	EPT OF IN 36800 IGS			AU D		MGMT	1				
	PURPOSE_	CUSE2 :	STOCK										
ĸ	SOURCE		BLACK COL SOURCE TY	ULEE YPE: SU	RFACI	E WA	TER						
	PRICRITY	DBIE:	AUGUST 10 TYPE OF 1), 1963 HISTORIC	AL R	IGHT	ı USE						
	ELON_ROI	E٠	NO FLOW !	RATE HAS TREAM RE	BEE!	N DE	CREED F	OR TH	HIS US	E FR	on		
	YOLUME:		.79	9 AF									
	PERIOD_C	E_USE :	JANUARY (01 TO DE	CEMB	ER 3	1						
×	POINI_DE	DIVERS	SIDM_BMD_1	MEBUS_DE	DIU	ERSI	0H +						
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	01			HESWNE	35	321	37E VAL	LEY			DAM		
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				OIR_SEC_	SEC_	I¥P.	RGE_CDI	JUIY					
	01 DNS	TREAM		NESWNE	35	32N	37E VAI	LEY					
¥	PLOCE_DE	USE_E	DR_SIDCK:										
		8CB1	ES	LOI	BLK_	01	R_SEC_	SEC_	IVP	BGE_	COURTY_		
	001						ENUNE		HSE HSE	37E 37E	UALLEY VALLEY		
	REMORKS	t											
	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE												

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CHEEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077362-30x(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLITERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077361-00, W077362-00.

* THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTMOING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATE, FLOW PATES, VOLUMES, OR ACRES TREIGATED. ASD, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE PETAILS REGARDING THE DNRC EXAKINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED THE THE DOCUMENT ENTITLED THROUGH OF PROPELIFIANCY DEFERS AND NOTICE OF RUPALIBILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DECLIMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ENABLIGABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MOTHANA DRLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRITER XRIGHT X NUMBER X 400 X - V-077363-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSENSE C = 2 MAS BEEM RIGHD NEXT ID SHOT LIEN CHANGED BY INC DEPARTMENT OF NATUREN RESOURCES AND DONSERVATION (DMRC) DUZING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINS WHITE CLAIME OF ME WATER RIGHT CLAIM EXMINATION RULES AS ROOPED BY THE MONTAINS WHERE SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED MOTICE OF ENTRY OF PRELIGIARY DEFENE AND NOTICE OF AUGUSTATIVE UNLESS OBJECTED TO DE CALLED IN MINITION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RESENT VILL APPEAR IN THE FINAL DECREE AS SHOWN IN HIS ABSTRACT. (SEE SECTION 85-2-23), MONTHAN COUR ANNOTATION.

59107

DWHERS: USA COEPT OF INTERIOR BUREAU OF LAND HONT) PO BOX 36800

BILLINGS

PURPOSE (USE): STOCK

SPRING, TRIB OF BUGGY CREEK SOURCE TYPE: GROUNDWATER **≭** 50URCE:

* PRIORITY_DATE: DECEMBER 31, 1888

TYPE OF HISTORICAL RIGHT: USE

ELOV_RAIE:

3.01 GPM

THIS WATER RIGHT INCLIDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS FER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY **≭** UGLUME:

THIS WATER SOURCE.

PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS DE DIVERSION :

MEANS LOT BLK OIR SEC SEC IMP RGE COUNTY

01 NUNUSE OF BEN BE VALLEY DEVELOPED SPRING

* PLACE_C%_USE_FOR_SIDCK:

___BCRES_ LOT BLK OIR SEC SEC IMP RGE COUNTY

001 NWNWSE OI 32N 38E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME SPRING. WO77363-00. W077364-00.

THE DARG EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

PRELIMINARY DECREF HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT WHITE RIGHT CLAIM

WRITERERIGHTENUMBERE4001 - W-077363-001(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED MAYER RIGHT CAN BE OBTAINED BY COMPARING PURBER RIGHT WITH OTHERS, DOWNERS, DOWNER, CLAIMES IN THE BRISH. FOR EXAMPLE, DOWNER PRIDRITY DATES, FLOW RATES, DOLUMES, OR ACCESS TRATEGIED. ALSO, YOUR WHER RIGHT HAY BE SUBJECT TO WHITER RIGHTS ON ADJUSTANCE BRISHS OR SUBBRISH. AS SO, YOUR WHER RIGHT HAY BE SUBJECT TO THORSE RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHERE RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DFFICE LOCATIONS IDENTIFIED IN HE DOUBLENT ENTITLED "MOTICE OF ENTRY OF PRELITITIARY DECREE AND MOTICE OF ANALABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCLUMENT RUTILLE OF HERITY OF PRELIMINARY DESERT AND NOTICE OF AUMILLABILITY." IF YOU MEED ABJECTION FORES, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1-BOO-864-3540, UK BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WRITERERIGHTENUMBERE 4000x-W-077364-00

THEORIGHT NOTTEE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT THAY HAVE CHENGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAISK CX) HAS BEEN PLACED NEXT TO EACH THE CHANGES OF YITE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONCO. DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXMINATION RULLES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED HOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALISALITY.LEVILESS USECTE: TO UR CHALES IN ON MOTION, OF THE MOTING COURT IN THE DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

DMILERS: USA (DEPT OF INTERIOR BUREAU OF LAND KONT)

PO BOX 36800 BILLINGS MT 59307 PURPOSE (USE): WILDLIFE SPRING, TRIB OF BUGGY CREEK SOURCE TYPE: GROUNDWATER * SOURCE: PRIORITY DATE: JUNE 28, 1934
TYPE OF HISTORICAL RIGHT: USE FLOW BRIE: 3.01 GPM UOLLME: 4.05 AF PERIOD OF USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION CAD HEARS OF DIVERSION : LOT BLK OTS SEC SEC IMP RISE COUNTY MEANS. NUMBER OF BENEFAMELER DEVELOPED SPRING ▼ PLBCE_DE_USE_EDR_WILC4LIFE: ACRES LOT BLK DIR SEC SEC TWO RGE COUNTY

100 REMARKS:

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT DH 03/24/95. PRIDRITY DATE AND TYPE OF RIGHT.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME SPECING, WO77363-CO. W077364-00 .

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS EXAMINATION OF THIS WATER RIGHT CHIM - THESE ISSUES MAY REMAIN LIMESSUED IF NO DEJECTIONS ARE FILED. * ×

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NUMBER OF BEAUTILEY

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PRELIMINARY DECREE PAGE 3 MILK RIVER BELOW WHITEWRITE CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

MATERISHISHUMBERE 4000x-W-077364-00x(CONTINUED)

REPARKS CONTINUED:

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THERE IS A QUESTION AS TO THE UPALIDITY OF THIS CLRIMED RIGHT. IN THE MATTER OF THE DEARBOON DRAINAGE REA, 234 MONT. 343 (1980) (THE BEEAN LAKE CRES) THE MONTHAN SUPPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LOW BEFORE 1973, MO APPORTATION RIGHT WAS RECOGNIZED FOR RECERTION, FISH AND VILLIES, EXCEPT THROUGH A MURPHY RIGHT STRIFTE."

A BETTER UNDERSTANDING OF YOR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING COURSE RIGHT VIN OTHER CLAIMS IN HE BASIM. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJITHING BRISING OR SUBBRASIMS BY ELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SCHURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE OWNE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE OCCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIZINGRY DECREE AND MOTICE OF AVAILABILITY."

SEE GERERA FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAM BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "MOTICE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR KIGHT, YOU CAN CONTRO! THE WATER COURT BY CHILING 1—BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 873, BOZEMAN MT 58771-0879.

O3/31/95 PRELIMINARY DECREE PAGE 3,680 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077365-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHRISES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASSERISK (\$\infty\$) HAS BEEN PLACED NEXT TO EACH TIEN CHAMIGED BY THE BEPARTHENT OF MATURAL RESOURCES AND CONSEQUENTION CONCLUDING THE EXAMINATION PROCESS. THESE CHRISES HARE PAINFOIZED BY THE MONTANA MATER COURT OR THE WHITER RIGHT CLAIM EXAMINATION ROLLES AS ROOPTED BY THE MONTANA SUPPREME COURT.

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ITLED MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUAILABILITY." LESS OBJECTED TO TK CALLED IN DI MOTION OF THE MOTIONA WATER COURT IN THIS REE, THE ELEMENTS THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE SHOWN ON THIS 6501FACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)										
DWHEBS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO 80X 36800 BILLY 36800 NT 59107										
PURPOSE_(USE): WILDLIFE										
SQUECE: UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER										
PRIDRITY DBIE: FEBRUARY 28, 1951 TYPE OF HISTORICAL RIGHT: USE										
ELOW_RRIE: NO FLOW RRIE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.										
<u>UDLUME</u> : 4.21 AF										
PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31										
POINI OF DIVERSION AND BEAUS OF DIVERSION:										
LOI BLK OIR SEC SEC IMP RISE COUNTY MEBUS										
O1 NUMBER 13 32M 38E VALLEY DAM										
BESERVOIR:										
OIB_SEC_SEC_IMP_RGE_COUNTY										
D1 DHSTREAM NUMBER 13 32M 38E VALLEY										
PLACE OF USE FOR WILDLIFE:										
001 S25WHE 13 32N 38E UALLEY 002 N2NW5E 13 32N 38E UALLEY										
REMARKS:										
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF										

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSIRACI OF WATER PIGHT CLAIM

WATERERIGHTENUMBERE40DE-W-077365-00E(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRITE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077365-00. W077366-00.

THE FOLIDING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REHAIN

LIMRESQUED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS ID THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINGE AREA, 234 HONT. 343 (1980) (THE BEAN LAKE CASE) THE THAT HORSE THE COURT STATED. IT IS CLEAR THEREFORE THAT UNDER THOTTAM A UN BEFORE 1973, NO APPORTATION RIGHT WAS RECOMMIZED FOR RECREATION, FISH AND WILLLIFF, EXCEPT THROUGH A WIMPHY RIGHT STRUTE.

A BETTER UNDESTINDING OF YOUR CLAIMED WATER RIGHT CAM BE BRIAIRED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BRIAIR. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRISINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHERE RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHERE RIGHTS.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIA'S CAN BE REUTEWED AT THE DOFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF VOUR CLAIRED WHER RIGHT THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE "NOTICE OF ENTRY OF PRELITIHARY DECREE AND NOTICE OF THE AVAILABLITY." IF YOU HEED OBJETION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCULOURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-900-624-3270 (WITHIN MONTARM DRLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN MT 5577-10879.

US-31/55 PRELIMINARY DECREE PROBLEM WHITEWHIER CREEK INCLUDING PORCUPINE CREEK PAGE 3,692 MILK RIVER BELDW WHITEWHIER CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER#400#-W-077366-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENODE. AN ASTERISK (I) HAS BEEN BLACED NEXT ID EACH ITEM CHANGED BY THE DEPARTMENT OF HATUREN, RESOUNCES AND CONSERVATION (ONRE) GURING THE EXPITANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE WATER RIGHT CLAIM EXPANIANTION RULES AS ADDITED BY THE MONTHAN BY SUPREME COURT

OBJECTIONS HAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE OCCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAYMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 87-2-23), MONTHAN CODE ANNOTATES.

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1	OWNERS:		36800	INTERIOR	BUREA MT	U OF LAND 59107	MGHT:)					
ı	PURPOSE_	CUSE2:	STOCK										
1	SDURCE:		UNNAMED SOURCE			BUGGY CRE	EK						
1	PRIORITY DRIE: FEBRUARY 28, 1951 TYPE OF HISTORICAL RIGHT: USE												
ļ	ELOW_RBIE: NO_FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.												
	UDLUME: .79 AF												
	PERIOD DE USE: JANUARY 01 TO DECEMBER 31												
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	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF												

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03/31/95

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER#400#-W-077366-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE U IN ACCORD WITH HISTORICAL PRACTICES. W077365-00, W077365-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \$ 2 DATH, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY ORTES, FLOW RATES, VOLUMES, OR ACRES, TRETIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHT AN ADJOINTING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED WATER OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUGILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATER WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT HILLED WANDINGS OF THE FOUND AS INDICATED IN THE DOCUMENT HILLED WAS AN OWNER OF THE WAS AN OWNER OF THE WAS AN OWNER OF THE WATER COURT BY CALLING THE WATER COURT BY CALLING 1-BOO-624-320 CHITTAIN TOWNING ONLY) OR 1-406-508-4364, OR BY WRITING TO P.O. 80X 879, 80ZEMAN HT 5571-0793.

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER:400:-W-077367-00

THEORYANT HOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHBUGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF ANTURAL RESQUECES AND CONSEQUATION COMEZO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDRIED BY THE MONTANA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MOTHANE MARRE OURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHER RIGHT WILL REPER IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. CSE SECTION 85-2-233, MONTHAN CODE RENNOTATED.

USA COEPT OF INTERIOR BUREAU OF LAND MGNT) PO BOX 36900 DWNERS: BILLINGS HT 59107

PURPOSE CUSED: VILDLIFE

BEAR CREEK, EAST FORK SOURCE TYPE: SURFACE WATER * SOURCE:

* PRIDRITY_DATE: DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE

FLOW, RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOTE.

VOLUME: 4.21 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

* POINT_OF_DIVERSION_AND_MEANS OF DIVERSION:

MEANS LOT BLK OTR SEC SEC TWP RGE COUNTY 01 SENUSE 17 32N 38E UALLEY DAM

RESERVOIR:

O1 ONSTREAM

OTR SEC SEC TWP RGE_COUNTY

* PLACE OF USE FOR WILDLIFE:

SENVSE 17 32N 38E UALLEY ACRES LOT 9LK OTR SEC SEC TWP RGE COUNTY

001 EZNUSE 17 32N 38E URLLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT THORREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WRITER & RIGHT & NUMBER & 400 & - W-077367-00 & (CONTINUED)

REMARKS CONTINUED:

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1 ž 1 . THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077367-00, W077368-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN LINRESOLUED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE UNLIDITY OF THIS IRECT S YOUR S LOTTED THE WITH E TENER DRAINGE GREEN AND THE HER LESS THE BEAR LAKE (DAYS) THE BEAR LAKE (DAYS) THE BEAR LAKE (DAYS) THE BEAR LAKE (DAYS) THE BEAR LAKE (DAYS) THE BEAR LAKE (DAYS) THE WORTHAM SUPPER COURT STATED) "II IS CLEAR THEREFORE THAT UNDER MONTANEL LAW BEFORE 1973, NO APPROPRIATION RICHT WAS RECORNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A NURPHY RIGHT STRUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDULNES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO BHER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO DIMER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF AUGULABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-824-3270 (WINTH MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077368-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBNIES FROM YOUR WATER RIGHT AS A THE DOR THENDED. AN AMERICAN SHOWN BEEN RECEIVED HAVE DOR THENDED. AN AMERICAN SHOWN BEEN RECEIVED HAVE DOESN'T WATURE RESERVED HAVE BEEN AND AN AMERICAN WATER CHANGES BEEN RECEIVED HE ROOM THE ROOM THE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHMAN SUPPEMBE COURT.

OBJECTIOMS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALIBATIVY." BURESS DEJECTED TO OR CALLED IN ON HOTION OF THE MONTANA WATER COURT IN TWIS DECREE, THE ELEMENTS OF THIS CHAINED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-23), MONTANA DOE ANDOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS: PO BOX 36800 BILLINGS MT 59107 PURPOSE CUSED: STOCK BEAR CREEK, EAST FORK SOURCE TYPE: SURFACE WATER * SOURCE : * PRIORITY DAIE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE ELOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: .79 AF PERIOD_OF_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY ... MEANS 01 SENUSE 17 32N 3BE VALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 DNSTREAM SENUSE 17 32N 38E URLLEY * PLOCE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 EZNWSE 17 32N 3BE UALLEY

BEUBBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03-31/95 PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-V-077368-00±(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077367-00, W077368-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED; Y COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PIJORITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGLIBLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (VITHIN MONTAMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER REPEK INCLUDING PORCUPINE CREEK ABSTRACT OF MATER RIGHT CLAIM

WRTER#RIGHT#NUMBER#400#-W-077369-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN IN THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED MENT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURER RESIDENCES AND CONSEQUATION CONTC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOTED BY THE MONTANA SUPPRINE COURT.

OBJECTIONS MAY BE ELLED OCCUPATION IN THE PROCEDURES CHILLINGO IN THE DOCUMENT

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

RESTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 & - V - O 77369-00 & (CONTINUED) REMORKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SCURRAL PURPOSES DOES NOT INCREASE THE KETEN TO THE WATER RIGHT. BRATHER IT OCCREES THE RIGHT TO ALTERNATE AND EXCHANGED THE USE PURPOSE) OF THE WATER IN OCCORD WITH MISTORICAL PRACTICES.

EXTENSION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, E DATA, OR ISSUES TO REPORT TO THE WHIPE COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIMER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR CRES TREASHED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUNING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DETRE AND NOTICE OF ANALIRENLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FUND AS YNDIGHED IN THE DOCUMENT, ENTITLE OF MINING PERLIMINARY DECREENING HOLDE OF DOCUMENT ENTITIES "NOTICE OF ENTRY OF PRELIMINATIVE DESCRIPTION ABOUT WATER COURT PROCEDURES OF CHANGES IN YOUR RIGHT, YOU CAN COMMACT THE WATER COURT BY CALLING 1800-624-320 (WITHIN MOTTAMA DRLY) OF 1-406-586-486, OR BY WITHING TO P.O. BOX 879, BOZEMAN NT 59771-0879.

03/31/95 PRGE 3.690

PRELITINARY DECREE MILK RIVER BELIW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

HESIRNCI OF WHIEK KIGHT CEN

WATERERIGHTENUMBERE400x-6-077370-00

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RECORKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OM THIS ABSTRACT MAY MANNE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTREICK (2) MAS BEEN RIGHTO MEXT TO RECHITTE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE CHANGES OF THE WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY OFFERS AND NOTICE OF AURILABBLITY."
UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTHANA WAFER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAGOWN ON THIS ROSTRACT. CSEE SECTION 65"2-233, MONTHANA CODE MANDITATED.

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS: PO BOX 36800 BILLINGS MT 59107 PURPOSE_CUSED: WILDLIFE UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER SOURCE: * PRIGRITY DBIE: DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW_RATE: UDLUME: 1.08 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS DE DIVERSION: MEBNS.... LOT BLK OIR SEC SEC TWP RGE COUNTY 01 NESWHE 24 32N 3BE UALLEY DOM RESERVOIR: OIR_SEC_SEC_INP_RGE_COUNTY_ MESWME 24 32H 3BE UALLEY THE DAM EXTENDS INTO SENUNE SEC 24 TWP 32M RGE 38E VALLEY COUNTY. * PLACE OF USE_FOR WILDLIFE: ACRES LOT BLK OIR SEC SEC IMP RGE COUNTY SENUNE 3BE VALLEY 001

RESUNE

32N 3BE VALLEY

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077370-00E(CONTINUED)

REMARKS CONTINUED:

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1

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SHME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITEMATE AND EXCHANGE THE USE PUMPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES.

WO77359-90, WO77370-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS : EXMITMATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN : UNRESCUED IF NO BUJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEPRHORM DRAINAGE AREA, 234 ADMIT. 343 (1988) THE BERN LAKE CASE) THE THAT HOLD THE HEAVY OF THE STATE OF THE THEREFORE THAT HOLDER HONT AND HER BEFORE 1973, NO APPROPRIATION RIGHT WAS RECONTISTED FOR RECENTION, FISH AND WILDLIFE, EXCEPT THROUGH A THURPH RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPAKE PRIORITY DATES, FLOW ARTES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT BY AS USBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WHER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMENTY DECREE AND MOTICE OF RAVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTITIED FORTIZE OF ENTITY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU RED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAN DNLY) DR 1-406-586-4364, OR BY WRITING 10 P. D. BOX 879, BOZEMAN MI 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRTERERIGHTENUMBERE400x-V-077371-00

THOOPIGHT MOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS LAIMED OR MIRHODD. AN ARSTRACK OS 1945 BEFN PLACED NOT IN ORAL TID FOR LICH CHANGED BY THE DEPORTMENT OF MITURAL RESOURCES AND EDMSERVIATION. CHARCE DURING THE EXAMINATION PROCESS. THESE CHANGES ARE BUTHORIZED BY THE MOTTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTTANA WATER SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MONTHNA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN 7:8 FINAL DECREE AS SHOWN ON THIS ABSTRACT. OSES SCHOWN ON THIS ASSTRACT.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PD BOX 368000
BILLINGS MT 59107

PURPOSE CUSED: WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UDLUME: 4.21 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT DE DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIR.SEC SEC IMP.RGE COUNTY MEGUS

NEMMSE 29 32N 38E VALLEY DAM

RESERVOIR:

OIR_SEC_SEC_IMP_RGE_COUNTY____

O1 ONSTREAM NE
* PLACE_DE_USE_EDB_WILDLIFE:

OCRES LOT SLK OIR SEC SEC IMP RGE COUNTY

NEHWSE 23 32N 3GE URLLEY

001 SWSEHE 29 32N 3BE VALLEY 002 SESWHE 29 32N 3BE VALLEY 003 HEMUSE 29 32N 3BE VALLEY

REMARKS :

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 24

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-W-077371-00s(CONTINUED)

REMARKS CONTINUED:

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1

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077371-00, W077372-00.

THE FOLLOWING ISSUES WERE IONITIFED BY THE DRIVE DURING ITS

** CARTINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN

** LIMRESPIALED IF HO SUBJECTIONS BRE FILED.

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRRINAGE REAL 284 MONT. 343 (1988) (THE BERN LAKE CASE) THE MATCH HAS DURRENE COUNT STATED. — IT IS CLEAR THEREFORE THAT UNDER MUNITAR LAW BEFORE 1973, MG APPADRIATION RISHT WAS RECONTEED FOR RECREATION, FISH AND VILOLIFE, EXTEPT INTROUGH A RUMPHY RIGHT STATUTE.—

A BETTER UNCERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PAIDATIVE DATES, FLOW RATES, UDLUMES, OR ACRES TRRIGATED. ALSO, YOUR WATER RIGHT HAY BE CUBJECT TO WATER RIGHTS THE ADJOINING BASINS OR SUBBASING BY BELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RELIEVED AT THE OFFICE LOCATIONS INSINIFIED IN THE OCCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURIL PRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTILE OF ENTRY OF PRELITIANARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-000-624-3270 (WITHIN MOTTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO FO. BOX 879, BOZEMAN NT 59771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERESTSHIENUMBERE4002x-W-077372-00

THEORIANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CURNOES FROM YOUR WATER RIGHT AS CRIMED OR AMENDED. AN ASTERISK CZ) HAS BEEM PICED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MAIURN, RESOURCES AND DISSENGATION (DARC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINA WATER COURT OF MIC WATER AZEDAT CLRIM EXAMINATION RULLES AS ADDITED BY THE MONTAINA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -MOTIZE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY.UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COLURY IN THIS DECREE, THE ELERNIS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FIRM LECREE AS SHOWN ON HIS ABSTRACT. (SEE SECTION 05-2-23), MONTHAN CODE ANNOTHED.)

OWNESS: USA (DEPT OF INTERIOR BUREAU OF LAND HGMT)
PD BDX 368000
BILLINGS NT 59107

PURPOSE_(USE): STOCK

≖ SDURCE:

UNNAMED TRIBUTARY OF BEAR CREEK SOURCE TYPE: SURFACE WATER

PRIGRITY DATE: FEBRUARY 28, 1950 IYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DINSTREAM RESERVOIR. ELOW RATE:

. 79 AF **UDLUME:**

PERIOD OF USE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSION - BND MEANS OF DIVERSION .

LOT BLK OIR SEC SEC INP RISE COUNTY __ MEANS NENWSE 29 32M 3BE UALLEY

BESERVOIR:

01

QTR SEC_SEC_TWP_RGE_COUNTY

O1 OHSTREAM NEMUSE 29 32M 38E VALLEY

* PLACE OF USE FOR SIDCK :

ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY

HSE PS 001 SWSENE 38E UALLEY 003 SESWHE UALLEY 38E 38E UALLEY

BEDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

M 24

DAM

03/31/95 PRGE 3.695

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK M95IN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400±-W-077372-00±(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLTERMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077371-00, W077372-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, & DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING YOUR RIGHT WITH DITHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOILING BASINS OR SUBBASINS AS WELL AS EEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REQUESTED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF ADMILLABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "MOTICE OF ENTRY OF PREI INTANRY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTAIN ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879. BOZEMAN HI 597(1-0079.

PRELIMINARY DECREE PAGE 3,696 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK AGENT AGO BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077373-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ARENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEFARTENT OF NATURAL RESOURCES AND CONSERVATION CONCENTRATION THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

ENT UNL DEC	ECTIONS TILED ON ESS OBJE REE, THE SHOWN ON	OTICE (CTED T(ELEMEN	F ENTRY OR CALL ITS OF TH	OF PRELI ED IN DI IS CLAIN	EMJNA 4 HOT 1ED V	RY DECR ION OF ATER RI	EE AI THE I GHT	ND NO MBNTA WILL	TICE NA WA APPER	OF AI TER I R IN	VAILABILI COURT IN THE FINA	TTY.= THIS AL DECRE	E
	OWNERS:		36900	NTERIOR	BURE MT	RU OF L 591		MGMT)					
	PURPOSE_	CUSE):	STOCK										
	SDUBCE:			TRIBUTA! YPE: S				K					
	PRIDRITY	_DOIE:		1965 KISTORI	CAL R	IGHT:	USE						
*	ELDW_R81	E:	NO FLOW THIS DNS	RATE HA	S BEE ESERV	N DECRE	ED F	OR TH	IS US	E FR	OM		
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	PERIOD_0	E_USE:	JANUARY	01 TO D	ECEMB	ER 31							
*	POINI_DE	DIVER	SION_OND_	D_2M635	E_DIU	ERSION							
			roi_brk	OIR_SEC	SEC	IME_EGI	_con	BIY			DEBNS		
	01			S2SENE	06	32N 391	VAL	LEY			DAM		
	RESERVOI	E:											
				OIR_SEC	_SEC.	IWP_RG	COL	MIY_					
	O1 DNS	TREAM		SZSENE	06	32H 39	URL	LEY					
*	678CE_0	_USE_E	OR_SIDEK										
		828	ES	LD1_	_BLK_	QIB_:	SEC	SEC_	_IWP	BGE_	_COUNTY_		
	001					525	ENE	06	HSE	39E	UALLEY		
	REDORKS	•											

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE PAGE 3; MILK RIVER BELOW WHITEWATER CEREK INCLUDING PORCUPINE CREEK BASIN AGO ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:-V-077373--00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE COURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077372 20, W077374-00

THE DURCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 500 DAG DIR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDCLUMES, OR ROKES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJILINUS BASINS OR SUBBSINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODICE OF ENTRY OF PRELIMINARY DECREE AND MODICE OF RUBLISHITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE TIDDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF HOTICE OF ENTRY OF PRELIMINARY DEGREE AND NOTICE OF ANALYSE OF ANALYSE OF THE OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU GAN CONTINT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA CHILDY 10 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN IN 59771-00479.

PRELIMINARY DECREE PRELIMINARY DECREE PAGE 3,699 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,699

WATERIRE GHT & NUMBER \$400 & - W-O77374-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLARIED OR MENDED AN ASTERISK (2) MAS BEEN PLEAD HAX TO EACH ITEM CHANGED BY THE OFFICIAL TO EACH ITEM CHANGED OF THE OFFICE AND CONSERVATION CONC. DURING THE EXPRINATION PROCESS THESE CHANGES RE QUITORIZED BY THE MONTHAM WATER COUNT OF THE WATER CHANGE SHE QUITORIZED BY THE MONTHAM WATER COUNT OF THE WATER CHANGES AS A COUNT OF THE WATER CHANGES AS A COUNT OF THE MONTHAM WATER COUNT OF THE WATER CHANGES AS A COUNT OF THE WATER CHANGES AND CHANGES AS A COUNT OF THE WATER CHANGES AS A SUPREME COLLET.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE ODCUMENT ENTITLED "NOTITE OF ENTRY OF PRELITHINARY OFFICE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO UR CALLED IN MOTION OF THE MONTHAM AMIER COURT IN THIS DECREE, THE ELEMINS OF THIS CLAIMED WATER RIGHT WILL APPERR IN THE FINAL DECREE AS SHOWN ON THIS MASSIARCY. (SEE SECTION 85-2-23), MONTHAM CODE ARMOTATED.

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 368000
BILLINGS MT 55102 DUNERS:

PURPOSE_CUSED: WILDLIFE

UNHAMED TRIBUTARY OF BUGGY CREEK SOURCE: SOURCE TYPE: SURFACE WATER

PRIDRITY DATE: JUHE 26, 1965 TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM * FLOW RATE: THIS ONSTREAM RESERVOIR.

6.21 AF UDLUME:

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT DE DIVERSION BIND MEANS DE DIVERSION:

LOT BLK OTR SEC SEC TUP RGE COUNTY HEBBS SESENE OF BEN BOE VALLEY DAM 10

RESERVOIR:

O1 ONSTREAM

QIR SEC SEC TWP RGE COUNTY

* PLACE_DE_USE_EOR_VILDLIFE:

____ACRES_ LOI BLK OIR SEC SEC IVE RGE COUNTY

SESENE OF BEN BE VALLEY

SPSENE OF 35H 39E VALLEY 001

REMBRES:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASTA 400

ABSTRACT OF WATER RIGHT CLASS

WATERIRIGHTINUMBERI4001-W-077374-001(CONTINUED)

REMARKS CONTINUED:

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RLIERWAYER AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077373-00, W077374-00

THERE IS A QUESTION AS TO THE UNLIDITY OF THIS CLAIMED RIGHT IN THE MATTER OF THE DEARBOON BRAINGE AREA, 234 MONT 340 C 1988) (THE BEAN LAKE CASE) THE MONTAMA SURFRE COURT STREED! "IT IS CLERR THEREFORE THAT UNDER HOWAMN LAW BEFORE 1973, NO APPROPRIATION FIGHT STRUE."

A SETTER UNDERSTANDING DE YOUR CLAIMEN MATER RIGHT CAN SE OSTAINED BY COMPANING YOUR RIGHT WITH OTHER CLAIMS IN THE BASH. FOR PAPILS, COMPANE PRIORITY DATES, FLOW RATES, JOHNSON, OR ACRES ISRIGHED, ALSO, YOUR WHER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASHIN OR SUBHESINING SUB KLL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY EDEBRICATED.

COMPLETE DETRILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS DENTITED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUPANT ENTITLED "MOTICE OF ROALHABILITY." IF YOU MEED OBJECTION FORMS, DR HADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-32F (UTITAL MOTINA ONLY) OR 1-406-586-4364, OK BY WRITING TO P.O. BOX BY9, BUZEARN NT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITTEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER REGHT CLASK

WATER:RIGHT & NUMBER: 400:-W-077375-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRICTS (2) HAS BEEN FLEED MEXT TO EACH TIEN CHANGED BY THE DEPARTMENT OF MATURAL RESUMPLES AND CONSERVATION CONCOUNTING THE EXAMINATION PROCESS. THESE CHANGES ARE ALTHORIZED BY THE MOTTAN WHER COUNTY OF THIS WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MOTTAN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT UNITED SHOULD FOR THE CALLED IN ON MOTION OF THE MONTHS AFTER COURT IN HIS DECREE, THE ELEMENTS OF THIS CLEMEN REGHT WILL APPER IN THE FINAL DECREE AS SHOWN ON THIS ASSTRACT. CSEE SECTION 85-2-233, NONTANA CODE RANDOTTED.)

USA COEPT OF INTERIOR BUREAU OF LAND MGHT) PO BOX 36800 DWKERS: BILLINGS 59107 PURPOSE_CUSE): STOCK UNNAMED TRIBUTARY OF WOLF CREEK SOURCE TYPE: SURFACE WATER * SOURCE * PRIORITY DATE: DECEMBER 12, 1957
TYPE OF HISTORICAL RIGHT: USE * FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR. VOLUME : .79 AF PERIOD_OF_USE: JANUARY O1 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION:

> LOT BLK OTR SEC SEC TYP RGE COUNTY MEANS MESH 18 328 39E URLLEY DAM

RESERVOIR:

01

OTR SEC SEC TYP RGE COUNTY

ONSTREAM NESH 18 32N 39E URLLEY

PLACE_OF_USE_FOR STOCK :

- SCRES LOT BLK OIR SEC SEC TYP RGE COUNTY

001 NESW 18 32N 39E VALLEY

REDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTEHUMBERE4001-W-C77375-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO BLITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077375-00. W077376-00

THE DIRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

DATA. OR ISSUES TO REPORT TO THE MATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EMAPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACKNES INSTRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN HOJOINING BASING OR SUBBRISING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO THOIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REQUIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECRE AND MOTICE OF RUBLIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITIED "POINTE OF ENTRY OF FREI HITMARY DECREE AND MOTICE OF ANAILABILITY." IF YOU MEED DBJETION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT RECEIVEDS OR ""MEES TO YOUR RIGHT, YOU AND CONTRO! THE WATER COURT BY CALLING 1-800-624-9270. LITHIN HOTTANA DML!) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX B79. BDZERNAM IT 5973-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF PATER RIGHT CLAIM

WATERERIGHTENUI ... RE400 = -077376-00

IMPORTANT NOTICE

YOUR WETER RIGHT OF SHOWN ON THIS OBSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLARING OR RHENDED. AN ESTRISK C.2 HAS BEEN FACED NEXT TO FROM ITEM CHANGED BY THE DEPARTMENT OF HOURS, RESOURCES AND CONSERVATION CONC. DUBING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE HONTANA SUPPREME COURT.

OBJECTIONS MAY SEFILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALIABILITY."
UNLESS DESCRED TO AC CALLED IN ON MOTION OF THE MOTIVARY MATERIAL COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SCHOWN ON HIMS ROSTRACT. ISSES SECTION 85-2-239, MOTHAN CODE ANNOTATES.

DNNESS: USA COEPT OF INTERIOR BUREAU OF LAND MONTO PO BOX 36800 BILL INGS KT 59107 PURPOSE (USE): VILDLIFE UNNAMED TRIBUTARY OF WOLF CREEK SOURCE TYPE: SURFACE WATER : SDURCE: PRIDRITY DATE: DECEMBER 12, 1957
1/PE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE: UDLUME: 11.21 AF PERIOD DE USE: JANUARY OF TO DECEMBER 31 POINT OF DIVERSION AND MERNS OF DIVERSION. LOT BLK OTR SEC SEC THE RGE COUNTY _MEANS_ 01 NESN 18 32N 39E VALLEY DAH RESERVOIR: ___OIR_SEC_SEC_IND_RGE_COUNTY____ O1 ONSTREAM HESV 18 32M 39E VALLEY PLACE DE USE EDR VILDLIFE BCRES LDI BLK - DIR SEC SEC IMP RGE COUNTY 001 NESW 18 32N 39E UALLEY REMARKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* F 25

PRELIMINARY DECREE MILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077376-001(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077375-00. W077376-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRK DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN
UNRESOLUED IF NO DOJECTIONS ROF FILED.

THERE IS A QUESTION AS TO THE UMILIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REA, 23 MONT. 343 (1980) (THE DEARN LAKE CASE) THE MONTANA SUPERIE COURT STAFED. "IT IS CLEAR THEREFORE THAT UNDER MONT ANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND VILLLIFE, EXCEPT THROUGH A TURNY RIGHT STAFULE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMES IN HE BESTAN - FOR EXAMPLE, COMPAGE PRIDRITY DATES, FLOW RATES, UNLIMES, OR ACCRES TERISATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJINITHING BRISTIN OR SUBBASIAN OR SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED ATTHE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTIFIED OF THE DATE OF THE DA

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS NOTICE IN THE DOCUMENT ENTITIED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU MEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MODITAN ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT S-977-10879.

PRELIMINARY DECREE PAGE 3,704 MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIM 400

ARSTRACT OF WATER RIGHT CLATH

WATERERIGHTENUMBERE4003 -- W-077377-00

THPORTANT MOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBGES FROM YOUR WATER RIGHT AS CLARING OR AMENDED. AN ASTRACT HAS BEEN PLACED MEXT TO EACH ITEM CHAMBED BY THE BEPARTMENT OF WATURE, RESOURCES AND CONSERVATION CONNECD DURING THE EXAMINATION PROCESS. THESE CHAMBES ARE AUTHORIZED BY THE MONTANA WATER CARRY THE WATER RIGHT CLARING TON RULES AS ROOTED BY THE MONTANA WATER CARRY THE WATER RIGHT CLARING TON RULES AS ROOTED BY THE MONTANA SIPPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALIABILITY." UMLESS GBLICTED TO AN CALLED IN MINITION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATER WATER RIGHT WILL APPER IN THE FINAL DECREE AS SHOWN ON HIS RESTRACT. (SEE SECTION 65-2-23), MOTHAN CODE ANNOTATED.

MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS OWNERS: PD 80X 201601 59620-1601 MT

PURPOSE_(USE): STOCK

UNNAMED TRIBUTARY OF CROOKED CREEK * SOURCE: SOURCE TYPE: SURFACE WATER

* PRIDRITY DOLE: DECEMBER 31, 1961 TYPE OF HISTORICAL RIGHT: USE

* FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DINSTREAM RESERVOIR.

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANTIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CARROTH AND HISTORICAL USE OF THE AREA SERVICED BY * UDLUHE:

THIS WATER SOURCE.

PERIOD_DELUSE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC THE BGE COUNTY MEANS 01 SWSENE 32 32N 39E VALLEY Dam

RESERVOIR:

OTR SEC SEC_IMP_RGE_COUNTY__

O1 ONSTREAM SWSENE 32 32N 39E URLLEY

* PLACE DE USE EDR SIDEK: --- BCRES LOT BLK QIR SEC SEC IMP RGE COUNTY

001 SWSENE 32 32N 39E UALLEY

REMARKS:

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INSCLUDING PORCUPINE CREEK BRSIN 400_____

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-077377-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERA, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESS THE RIGHT TO HILTERNATE ROD EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, : DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW PARES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHTS IN ADJUINING BASINS OR SUBBRISING AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FIRSTLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED HOW FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIRC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF MAILBRILLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS NOTCENED IN THE DOCUMENT ENTITLE PROTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED OBJECTION FORM, OR HAVE QUESTIONS "SHOUL WATER COURT PROCESSINGS OF CHANGES TO YOUR RIGHT, YOU ON CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MODITANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN AT 5977-70879.

03/31/95

PRELITINHERY DECREE HILK RIUER BELOW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK ABERDAN 1953.4 400

ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400x-W-077378-00

INPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CHARGE OR AMERICA. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONRECO DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE NONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

DESTECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MILTED THE THIR OF FREIDINARY DECKEE AND NOTICE OF MUNICIPALITY." UNLESS DESCRIED TO OR CALLED IN ON NOTION OF THE MONTHAN WATER COURT IN THIS CHIEFE WATER RIGHT WILL APPEAR IN THE FINAL DECREE SCHOOL NO HIS SESTION BE-2-23, MONTHAN COURT ARMOUNTED.

DMHESS: MONTAMA, STATE OF BOARD OF LAND COMMISSIONER P0 B0× 201601

MT 59620-1601 HELENA

PURPOSE_(USE): WILDLIFE

≠ SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK SOURCE TYPE: SURFACE WATER

* PRIGRITY DRIE: DECEMBER 31, 1961 TYPE OF HISTORICAL RIGHT: USE

* ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOTE.

UDLUME: .21 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT DE DIVERSION AND MEANS DE DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEBIS SWEENE 32 32N 39E VALLEY DAM

01 RESERVOIR:

OIR SEC SEC TWP BGE COUNTY

O1 DHSTREAM SWSENE 32 32N 39E VALLEY

* PLACE DE USE EOR WILDLICE:

ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY

SWSERE 32 32N 39E VALLEY 001

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95
PRELIMINARY DECREE PAGE 3,707
HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
ABSINATO OF WATER RIGHT CLAIM
ASSINATO OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 4001-4-077378-ODECCONTINUED

REMARKS CONTINUED :

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* * *

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITEMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN MCCORD WITH HISTORICAL PRACTICES. W077377-OO, W077378-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

THE FOLIDITING ISSUES WERE DISTILLED BY HIE DRIC DURING ITS :

EXAMINATION OF THIS WHER RIGHT CLAIM. HESE ISSUES MAY REHAIN :

LINESQUED IF MO GRECTIONS ARE FILED.

IHER IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRAINAGE AREA, 234 MONT. 349 (1988) CTHE BEAN LAKE CASED THE MONTANA SUPREME COURT STRIED: "IT IS CLERK THEREFORE THAT UNDER MONTAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND WILLIFE, EXCEPT INFOUGH A MURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RIGHS, VOLUMES, OR ACKES IRRIGATED ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITE RIGHTS IN ADJUSTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DIREC EXAMINATION RESULTS AND RELATED INTERTALS CAN BE REVIEWD AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED —NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY.

SEE CEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT HITLED "MOTICE OF ENTRY OF PRELITINARY DEFECTE AND NOTICE OF PUBLICABILITY." IF YOU MED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-644-3270 C WITHIN NOTION ONLY OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, BOZEMAN NT 5977-00479.

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER RECEK INCLUDING PORCUPINE CREEK BRIN 400

ABSTRACT OF VATER RIGHT CLAIM

WATER TEHT ANUMBER \$400 \$ - W-077379-00

THROUGHN'T NOTTER

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CURRES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN STRIKENSK C.X.) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY HIS GERMATION OF MATUREN, RESOURCES AND CONSEQUATION CONTROL DURING THE SCHANGES ARE AUTHORIZED BY THE MONTHAN WHIER GOLDET OR THE WHEN RIGHT CLAIR EXAMINATION RULES AS ROUPTED BY THE MONTHAN SUPREME COURT.

COJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALLABILITY." MRESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTING OF OURT IN THE DECREE, THE ELERNIS OF THIS CLAIMED WHTER RIGHT VILL APPER IN THE FINAL DECREE AS SHOWN ON HIXIS RESTRICT. SEE SECTION 85-2-239, MOTIMAN CODE ANNOTHER.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO 80X 36800 BILLINGS 59107

PURPOSE_(USE): VILDLIFE

UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE:

PRIDRITY DRIE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE

ELDW RAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UOLUME: 4.21 AF

PERIOD DE USE: JANUARY O1 TO DECEMBER 31

: POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS 01 SENENE OI 33N 38E VALLEY

RESERVOIR

OTR SEC SEC TWP RGE COUNTY

01 DNSTREAM SENENE OI 33N 3BE VALLEY

> THE DAM EXTENDS INTO GOUT LOT IO IN SEC 31 TWP 34N ROF 39F VALLEY COUNTY.

: PLBCE_OF_USE_EOR_WILDLIFE:

- BCRES LOT BLK QIR SEC SEC INP RGE COUNTY

SENERE 01 33N 38E UALLEY 31 34N 39E UALLEY 805 100 CGDUT) 10 SV

BEMARKS:

DOM

03/31/95

PRELIMINARY DECREE PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRITH AND

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT#NUMBER#400x-W-077379-00#(CONTINUED)

PERAPKS CONTINUED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SARE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT IMPREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE NO EXCHANGE THE USE (RUPPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077379-00, W0773800-00.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CHRIER TIGHT. IN THE MATTER OF THE DEARBORN DRINAGE AREA, 234 MONT. 343 (1980) THE BEAN LAKE CASE) THE MONTANS MORTH COURT STATED. "IT IS CLEAR THEREFORE THAT WHOER MONTANA LAW BEFORE 1973, MO PREPAPRATION RIGHT WAS RECOGNIZED FOR RECRETION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A SETTER UNDERSIMOUNG OF YOUR CLAIMED WHIER RIGHT ON SE OBTAINED BY COMPARING YOUR RIGHT WIND DINK CLAIMS IN THE BASH. FOR EXMANYEL COMPARE PRIDBITY ORDER FOR FOR THE COMPARE PRIDBITY ORDER FOR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAR RESERVED WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEMED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF RELIMINARY DECREE AND MOTICE OF AUMILIBILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHERE RIGHT. THESE FINDINGS CAN BE FUND AS INDICATED IN THE DOCUMENT ENTITLES "NOTICE OF ENTRY OF PRELIMINARY DECRE AND NOTICE OF MAILABILITY." IF YOU NEED DOJECTION FORMS. OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CAMBES TO YOUR RIGHT, YOU CAN CONTACT HE WATER COURT BY CALLING 1900—526—3270 (NITHIN TOWN THAN DIAT AND ONLY) OR 1-4056—526-326, OR BY WAITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLIDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

VRTERERIGHTENUMBERE400g-V-0?7380-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR MICHOED. AN ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND COMPSENATION CONCED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTRHA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTRHA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTTCE OF AVAILABILITY." UNL DEC AS

ESS OBJEC REE. THE	TED TO DE CALLED IN ON ADTION OF THE MONTANA WATER COURT IN THIS ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE THIS RASTRACT. CSEE SECTION 85-2-23, MONTANA CODE RHMOTATED.
OWNERS :	USA COPT OF INTERIOR BUREAU OF CHAND MGMT) PO 80X 35800 BILINGS MT 59107
PURPOSE_0	CUSE): STOCK
SOURCE :	UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER
PRIORITY	DDIE: FEBRUARY 28, 1950 TYPE OF MISTORICAL RIGHT: USE
ELDW_RAI	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
WILLINE:	.79 AF
PERIOD_O	E_USE: JAHUARY O1 TO DECEMBER 31
POINT_DE.	DIVERSION AND DEBUS DE DIVERSION:
	LOI BLK QIR SEC SEC IMP RGE COUNTY MEANS
01	SEMENE O1 33N 38E VALLEY DAM
RESERVOI	B:
	OIR_SEC_SEC_INP_RGE_COUNTY
01 DNS	TREAM SENENE O1 33M 38E VALLEY
TH RG	E DPM EXTENDS INTO GOUT LOT 10 IN SEC 31 TWP 34N E 39E VALLEY COUNTY.
PLOCE_DE	_N2E_E0B_210CR:
	OCRESLOI_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY
001 002	SENERE O1 38 UALLEY (GDUT) 10 SW 31 34N 39E VALLEY
REDORKS:	

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF VATER RIGHT CLAIM

WATERIRIGHTINUMBERIA 4001-W-0773BO-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INDERSEE THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESS THE RIGHT TO ALTERNATE ON EXCHANGE THE USE (DURPOSE) OF THE WATER THE ACCORD WITH HISTORICAL PRACTICES. WO 77379-00, WO77380-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, DR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BETTER UNDERSHAUMED UT YOUR CLAIMED WHER KIGHT LAM BE UDINAMED FRIDRITY DATES, YOUR RIGHT WITH OTHER LRIPS IN HE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. HISO, YOUR WATER PIGHT MAY BE SUBJECT TO TO WATER RIGHTS IN MOJOINING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL, RESERVED WHATEY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL, RESERVED WATER RIGHT MAY BE

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGUSTUTY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTITES OF ENTRY OF PRELITMENRY DECREE AND NOTICE OF ANALIBATILITY." IF YOU NEED OBJECTION FORKS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU GAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITKIN NOTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#HUMBER#400#-W-077381-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (1) HAS BEEN PLACED NEXT ID EACH ITEM CHANGED BY HE DEPARTMENT OF MATUREL RESOURCES AND CONSEQUATION (OMEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY." UNLESS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIVATION WATER COURT IN THIS CLATHED WATER RIGHT VILL APPEAR IN THE FINAL DECREE OF SHOWN ON MIXES ABSTRACT. (SEE SECTION BE-2-23, MONTANE CODE ANNOTATES)

<u>DWNERS:</u> USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59167 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER SOURCE: * PRIORITY DAIE: DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW RATE: THIS ONSTREAM RESERVOIR. **UDLUME:** 4.21 AF PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: __LDT BLK OTR SEC SEC TWP RGE COUNTY MERNS 01 NUSESE 15 33N 38E VALLEY DAM RESERVOIR: OTR_SEC SEC TWP RGE COUNTY DNSTREAM NWSESE 15 33N 38E VALLEY * PLACE OF USE_FOR VILDLIFE: __BCBES____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____ 15 93N 15 93N 002 N2SESE 38E VALLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER::400::-U-077381-00:(CONTINUED)

REMARKS CONTINUED:

*

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077381-00, W077382-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS
* EXMINATION OF THIS WATER RIGHT CLOIM. THESE ISSUES MAY REMAIN

THE UNRESOLVED IF NO OBJECTIONS ARE FILED.

HISRE IS R QUESTION AS TO THE URLIDITY OF THIS CATHED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE RREN, 234 MONT. 343 (1988) (THE BEAN LAKE CRSE) THE MATTER OF THE STATE OF

A BETIER UNDESSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EARHEY, COMPARE PRIGRITY DRIES, FLOW RAIES, JOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED AND FEDERAL RESERVED AND FEDERAL RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED AN

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED MADDITE OF ENTRY OF PRELIMITHARY DECREE AND NOTICE OF AUGILABALITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARKED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BHITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOITCE OF AUGUSTALIAN OF THE PROCEDURE'S WE CHANGES TO YOUR RIGHT, VOU CAN CONTROL THE WATER COURT BY CALLING P.O. 800 479, BOZEMAN MY 55771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

MATERIRIGHTINUMBERIACOUI-W-077982-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACK MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLATMED DR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONCE) DURING THE EXHIBITATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANN PATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANN SUPPRIER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "HOTIZE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILIABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTANA WATER COURT IN THIS DECREE; THE ELEMENTS OF THIS CLAIMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROSTRACT. CSEE SECTION 85-2-293, MONTANA COUR ENHORATED.

USA (OEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 DWNERS: PURPOSE_[USE]: STOCK UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER SOURCE * PRIDRITY DRIE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RATE: .79 AF COLUME: PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS 01 NWSESE 15 33N 38E VALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NWSESE 15 33N 38E VALLEY → PLACE_DF USE FOR STOCK: __ACRES ____LOT_BLK_QIR_SEC_SEC_TWP_RGE_COUNTY____ UALLEY 33N 3RE N2SESE

SÕO REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

33N 38E VALLEY

PRELIMINARY DETREE MILK RIVER BELOW WHITEVARE CREEK IMCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATTER RIGHT CLAIM

WOTER:RIGHT:NUMBER::400::-W-077392-00:(CONTINUED)

REMARKS CONTINUED:

THE WAYER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077391-00. W07398-00.

THE ONCE EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, # DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORATY CATES, FLOW RATES, UOLUMES, OR ACKES IRRIGATED. A. 150, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS VELL AS BEING SUBJECT TO DYMER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO JADIAM RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT GRITTLED - MIDICATED IN THE DOCUMENT GRITTLE OF A CHAINEST OF PRELIMINARY DECREE AND NOTICE OF A CHAINEST TO YOUR REDOKTOR FORMS, OR MADE QUESTIONS ABOUT WHERE COURT PROCEDURES OR CHAINEST TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 CUITHIN MONTHAM BULY) OR 1-406-586-4364, OR BY WRITING TO P.D. 88K 973, BOZZEMAN MI 5971-0879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHT NUMBER # 400 # - W-077383-00

REMORKS:

IMPORTANT NOTICE

YOUR WITER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AREHOED. AN ASTRACK AS HAVE BEEN PLACED NEXT IS GENERAL THE CHANGED BY THE DEPARTMENT OF MATUREN RESUMPCES AND CONSEQUATION (ONCE) DURING THE EXMINISTION PROCESS. THESE CHANGES ARE NOTHORIZED BY THE MONTHAN WATER COURT OF THE WATER RIGHT CLAIM EXMINISTION NULES AS ADOPTED BY THE MONTHAN DATE. SUPPRETE COURT.

OBJECTIONS MAY DE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED WHOTHER DEFENTY OF PRELIDIARY DEFERE AND MOTITED OF AUGUSTATIVE UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WHERE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN WITH HIS TRIFFERT. SEE SECTION 65-2-239, MONTHAN CORE RANDITATES. DWIERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE_CUSE2: STOCK UNNAMED TRIBUTARY OF CANYON CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE ELDY_BBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: _4Ω AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OIR SEC SEC IVE RGE COUNTY DEBNS_ 01 NUSUSE 17 33H 38E UALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY OI ONSTREAM NWSWSE 17 33H 3BE UALLEY * PLACE_DE_USE_EDR_SIOCK: BCRES LOI BLK OIR SEC SEC IMP RGE COUNTY 001 NWSWSE 17 33N 3BE UALLEY

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MASTN 400

ABSTRACT OF WATER PIGHT CLAIM

WATER:RIGHT: NUMBER:: 400::-W-077383-00:(CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077383-00. W077384-00.

* THE DIRC EXPRINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBIDIHED BY COMPRING YOUR RIGHT WITH DITHER CLAIMS IN THE BESIN. FOR EXPHYEL COMPRER PRIDRITY DATES, FLOW WATER, UDLUMES, OR ACCES IRRIGATED. ALSO, YOUR WATER RIGHT ANY BE SUBJECT TO WATER RIGHTS IN ADJUNING BESINS OR NUBBRASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHT MAY BE

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUBILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUALISALITY." IF YOU NEED OBJECTION FORMS. OR HAVE QUESTIONS ABOUT WATER COURT PY CALLING 1-800-624-3270 (WITHIN MONTHING DOLY) OR 1-406-586-4364, OR BY WRITING TO P.O. SOR 879, BOZEMAN MT 5977-10879.

PRELITINARY DECREE HILK RIVER SELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSTN 400 BRSTN 400 BRSTROTT HE WATER PINK CL BITM

WATERERIGHTENUMBERE400E-W-077384-00

IMPORTANT MOTICE

YOUR WHIER RIGHT OS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WHIER RIGHT OS RHENDED. A MESTERISK CLI MAD BEEN RECEIVED US AND HAVE BEEN RECEIVED WHITE RESEARCH OF THE RESEARCH OF THE RESEARCH OF THE WHITE THE CHANGES FOR BUTTON THE WHITE RIGHT CLAUR CHANGES FOR BUTTON THE WHITE RIGHT CLAUR EXAMINATION RULES AS ROOPTED BY THE MONTHAN WEIR SUPPORT COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CUITLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABBLITY." LUNLESS OBJECTED TO GROULED IN MOTION OF THE MOTIVARIA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. CSEE SECTION 85-2-233, MONTHAM COOR ENMOSTRED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) DOGGE XOE GO BILLINGS 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF CANYON CREEK SOURCE: SOURCE TYPE: SURFACE WATER PRIGRITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLDW_RAIE: THIS UNSTREAM RESERVOIR. VOLUME: 4.60 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS NWSWSE 17 33N 38F UALLEY Of DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY OI DHSTREAM NWSWSE 17 33N 38E UALLEY * PLACE OF USE FOR WILDLIFE: GCRES LOT BLK OIR SEC. SEC IVP RGE COUNTY NUSUSE 17 33N 38E VALLEY 001 REMORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE PAGE 3,719 HILK RIVER BELOW WHITEWHER CREEK INCLUDING PORCUPINE CREEK ADDITIONAL HOLD PROPERTY OF THE PROP

WATER #RIGHT #NUMBER #400 # - W-077384-00 # (CONTINUED)

REMARKS CONTINUED:

1 1 1

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077383-00, W077384-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN ŧ UNRESOLVED IF NO OBJECTIONS ARE FILED. .

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERROWN DRRINAGE RREA, 224 MONT. 343 (1980) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STRIED! "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A NUMPHY RIGHT STRUTE."

A SETTER UNDERSTANDING OF YOUR CLATHED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WITH DIRER CLAIMS IN THE BASEN. FOR EXAMPLE, COMPARE PRIDETY DATES, FLOW RATES, UNLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS CAN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIEN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF PRELITATIONARY DECREE AND MOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILED FONICE OF ENTIRY OF PREIZHMINRY DERREE AND NOTICE OF AVAILABILITY.— IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES ID YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIZATION - 9-077385-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTRACTS (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGES OF THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION (ONRC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOTHAM WATER COURT OF THE WATER RIGHT CLAIM EXMINATION REQUESTED. STEPREME CHIET.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER KIGHT WILL APPEAR IN THE FINAL DECREE AS SMOMN ON THIS ABSTRACT. (SEE SECTION 65-2-233, MONTANA CODE ANNOTATED.)

DWHERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107

PURPOSE_CUSE2: WILDLIFE

¥ SOURCE: CANYON CREEK, WEST FORK SOURCE TYPE: SURFACE WATER

PRIDRITY DBIE: APRIL 23, 1968
TYPE OF MISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR. UDLUME:

1.60 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT_OF_DIVERSION_AND_MEANS_DE_DIVERSION:

LDT BLK OTR SEC SEC INP RGE COUNTY MEBNS____

01 HWSESE 19 33H 38E VALLEY DAM

RESERUDIR:

OTR SEC SEC TWP RGE_COUNTY

01 DNSTRERM NWSESE 19 33N 38E URLLEY

RESERVOIR/LAKE NAME: TRAPPER RESERVOIR

* PLOCE_DE_USE_EDR_WILDLIEE:

___BCBES____LOI_BLK__OIR_SEC__SEC__IMP_RGE_COUNTY____

100 NUSESE 19 33N 3BE UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95

PRELIMINARY DECREE PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PRELIMINARY DECREE PRELI

ABSTRACT OF WATER RIGHT CLAIM

WATER **RIGHT **NUMBER ** 400 ** - W-077385-00 ** (CONTINUED)

REMARKS CONTINUED:

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* * 1 2 Ŧ THE WATER RIGHT. RATHER II DECREES THE RIGHT TO RITEMATE AND EXCHANGE THE USE (PUMPOSE) OF THE WATER IN ACCIDE WITH HISTORICAL PRACTICES. W077885-00, W077886-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WERE RIGHT CLRIM. THESE ISSUES MAY REMAIN UNRESOLUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLATED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE RER, 224 MOINT. 343 (1988) (THE BEAM LIKE CASE) THE MONIFAR SUPREME COURT STREET. "II IS CLEAR THEREFORE THAT UNDER MONIFAR LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A THURMY RIGHT STRTUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING NOR TICK UNUSTAINUING OF YOUR CHAIRED WHICK KIGHT CHA GE DBHARRED BY COMPAKING YOUR RIGHT WITH OTHER CLAIMS IN HE BASIN. FOR EXHAPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR RORES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO OFFICE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAN FEDERAL RESERVED WHITE RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAM BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENNRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PREJITAINARY DECREE AND NOITEE OF P. Q. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077386-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MAVE CUBNISES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK C*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSENUTION CONECD DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAWA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAWA SUPPREME COURT.

OBJECTIONS MAY BE FILD ACCORDING TO THE PROCEDURES GUILINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF HIS CLAMED WATER RIGHT VILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23, MONTANG COOK ANNOTATES.)

DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECR S SHOWN ON THIS RESTRICT. (SEE SECTION 85-2-233, MOTHAN CODE ANNOTATED.)

DMMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT)
PÛ BÛX 36000

HT 59107

PURPOSE_CUSE): STOCK

* SOURCE: CANYON CREEK, WEST FORK SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 23, 1968
TYPE OF HISTORICAL RIGHT: USE

ELDW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

COLUME: .40 RF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT DE DIVERSION AND MEANS DE DIVERSION :

TOT BIR OIB SEC SEC IND BGE COUNTY DEBUS

RESERVOIR:

01

NWSESE 19 33N 3BE VALLEY
OTR SEC SEC INP RGE COUNTY

O1 ONSTREAM NUSESE 19 33N 38E VALLEY

RESERVOIR/LAKE NAME: TRAPPER RESERVOIR

* PLACE_CE_USE_FOR_STOCK:

BCRES LOT BLK OIR SEC SEC TWP RGE COUNTY

___BLKES____

NWSESE 19 33N 38E UALLEY

DAM

001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WHITER RIGHT CLAIM PAGE 3,723

WATER#RISHT#NUMBER#400g-W-077386-00#(CONTINUED)

PEMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077385-00, W077386-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DINER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO THAILLY, AND WATER RIGHT MAY BE SUBJECT TO WATER RIGHT MAY BE SUBJECT TO STANDIAM RESERVED AND FEDERM. RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF RUBLINGLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTILED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF RAPAILABILITY." IF YOU NEED BAJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTECT THE MATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DAY YOUR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077387-00

IMPORTANT NOTICE

YOUR MOTER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WHIER RIGHT AS CLAIMED OR AMENDED. AM AGRERISK OF HAS BEELD PLACED HAXT TO SACH ITEM CHANGED BY THE DEPARTMENT OF HATURA RESOURCES HAD COMPSENDED HOW TO SHOW THE EXAMINATION PROCESS. THESE CHANGES ARE MUTERATED BY THE HOW THAN A WRITE COURT OR THE WARTER RIGHT CLAIM EXAMINATION RULES AS ADDOPTED BY THE HOW THAN A WRITE SUPPERME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED—NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY.—UNLESS OBJECTED TO OR CALLED IN OR MOTION OF THE MOTHANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHANA CODE ANNOTATE.)

USA COEPT OF INTERIOR BUREAU OF LAND MGMTD OWNERS: PO BOX 36900 HT. 59107 PURPOSE_CUSE1: WILDLIFE SOURCE : UNHAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER * PRIGRITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_RATE: 1.21 AF UBLUME: PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT_DE_DIVERSION_BND_MEANS_DE_DIVERSION: LDI BLK DIR SEC SEC IMP RGF COUNTY _BEBBS_. SWHWHE 20 33N 38E URLLEY 01 DAM RESERVOIR: OIR SEC SEC INP RGE COUNTY 01 ONSTREAM SWNWNE 20 39N 38E VALLEY * PLACE DE USE EDR WILDLIFE:

BCRES LDT BLK OTR SEC SEC TWP RGE COUNTY

ASWAWE

OO1 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THE STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 26

20 33N 38E VALLEY

03/31/95 PRSE 3.725

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER \$400 & - W-077387-00 & (CONTINUED)

REMARKS CONTINUED.

ŧ ŧ 1 1 THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077397-VO, W077390-VO.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARK DURING ITS EXHITINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES HAY REMAIN UNRESCLUED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBOAN DRAINAGE AREA, 234 NONT. 343 (1980) THE BERN LEKE CASE) THE MONTAINA SUPREME COURT STATED! -IT IS CLEAR THEREFORE THAT UNDER NOTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDED FOR REPRINTING. FISH AND ULID JEE, EXCEPT THROUGH A MURPHY PIGHT STATULE.*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIRER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES INTRIBATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN YOUR BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPFICE LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

THE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTILLED "MOTICE OF ENTILLE OF MOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHAMBES TO YOUR RIGHT, YOU CAN CONTACT THE MATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,726 HILK RIVER BELOW WHITEWATER CREEK X INCLUDING PORCUPINE CREEK BISTN 400 BIST

WATER #RIGHT #NUMBER #400 #-W-077398-00

THEOREMS NOTTON

YOUR WATER RIGHT AS SHOWN ON THIS RESTRENT MAY HAVE CHEMES FROM YOUR WATER RIGHT AS CLAIMED BRANCH AND ASSETSKE C.) HAS BEEN PLACED NEXT TO EACH JIEM FROM THE EXAMPLED PRACTICE OF THE CHARLES OF THE MOVES OF THE CHARLES OF THE MOVIEW PROCESS. THE MOVIEW ANTER COURT THE WATER ADMINISTRATION PROCESS. THE MOVIEW ANTER COURT THE WATER ADMINISTRATION FOR THE MOVIEW ANTER COURT THE WATER COURT OF THE MOVIEW ANTER JECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ADMINISTRATIVE OF AND ADMINISTRATIVE OF ADMINISTRATIVE OF THE MOTION OF T

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 368GO 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE. SURFACE WATER SOURCE: * PRIGRITY DRIE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: LISE ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. .79 AF UOLUME: PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION BND MEBNS DE DIVERSION : LOT BLK OTR SEC SEC TWP RGE COUNTY MI "" 01 SWINNE 20 33N 3BE URLIEY DAM RESERVOIR: OIR SEC SEC IVE RGE COUNTY O1 ONSTREAM SWINNE 20 33N 3BE URLLEY ▼ PLACE OF_USE_EOR_STOCK: __RCRES_____LDI_BLK_QIR_SEC_SEC_IMP_BGE_COUNTY വവ MENE -20 32N 38E URLLEY

REDORKS

THE WATER RIGHTS LISTED FOLLOWING THIS STATE ON ARE HULTIPLE USES OF THE STATE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95

MILK RIVER BELOW WHITEWARES CREEK INCLUDING PORCUPING CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*HUMBER*400*-V-077388-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77387-00 - WO77388-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A RETTER UNDESSIMPLING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPREUNS YOUR RIGHT WITH OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COPPRE PRIORITY ORIES, FLOW RATES, UDLUKES, OR ACCES TREIGHTED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER TIGHTS IN ADJOINING BRISIS OR SUBBRISING SHELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETRILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REDIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINGRY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PREINTINIARY DECREE AND NOTICE OF AUGILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR TIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-524-3270 (WITHIN MONTHAM ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

03/31/95 PRELIMINARY DECREE 03/36 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RTSHT*NUMBER*400*-W-077389-00

TMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED MEXT TO EACH TIEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA VATE COURT OR THE VATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED -MOTILE OF ENTRY OF PRELITAINERY DECREE AND NOTICE OF AUAILABILITY." UNLESS OBJECTED TO OR COLLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION OF 32-239, MONTANA CODE REMOTATED.)

USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PD BOX 36800
RTLLINGS MT 59107 DWNERS:

PURPOSE_CUSE2: WILDLIFE

UNHAMED TRIBUTARY OF CANYON CREEK SOURCE: SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1972 TYPE OF HISTORICAL RIGHT: USE

ELOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

UDLUME: 2.21 AF PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* PRINT OF DIVERSION AND MEANS OF DIVERSION: LDI BLK OTR SEC SEC TWP_RGE_COUNTY. MEANS

SWSESE 21 33N 38E VALLEY 01 DAM

RESERVOIR:

OTR SEC SEC TWP_RGE_COUNTY

O1 ONSTREAM SWSESE 21 33N 38E URLLEY

* PLACE DE_USE_EDR_WILDLIFE:

BCRES LOT BLK OIR SEC SEC IMP RGE COUNTY

S2SESE 21 33N 38E UALLEY 001

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

B 27

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WRIER*RIGHT*NUMBER*400*-W-077389-00*CCONTINUED)

REMARKS CONTINUED:

*

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077389-00. W077399-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

E EXPRINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLUDE IF MO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT IN THE MATTER OF THE DERRORM DRAINAGE AREA, 234 MONT. 443 (1989) CTHE BEAN LAKE CASE THE MONTANA SUPREME COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE GBTAINED BY COMPARING YOUR TIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW MATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT AND JOINING BASINS OR SUBBASINS AS BELL AS BEING SUBJECT TO WHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INJOHN RESERVED MAY FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INJOHN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTILED "NOTICE OF ENTRY OF PRELITINENY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT WATER COURT OF CALLING 1-BOO-624-32FO WITHIN MONTANA DNLYS OR 1-406-586-4964, OR BY WRITING TO P.O. BOX 879, BOZEMBA NT 5977-10879.

PRELIMINARY DECREE PAGE 3,730 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#~W-077390-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONEY, DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COUNT OF THE FORTH WATER RIGHT CLAIM EXPENDENT RULES AS ADOPTED BY THE HONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED **NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

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	OWNERS:			NTERIOR	BUREA	U OF LAND	MGHT:)		
		BILLI	4 36800 165		MT	59107				
	PURPOSE_	CUSE2 :	STOCK							
	SOURCE:			TRIBUTAR TYPE: SU			EEK			
İ	PRIDRILY	_DBIE:	JUNE 30,	, 1972 HISTORIC	AL RI	GHT: USE				
	ELOM_ROI	E:	NO FLOW THIS ON	RATE HAS	BEEN SERVO	DECREED	FOR TI	HIS USE	FROM	
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	001					SZSESE	21	33N 38	E VALLEY	
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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE40Dx-W-077390-00x(CONTINUED)

PERAPRS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURD WITH HISTORICAL PRACTICES. WD77389-00, W077390-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BELIER UNDERS INDURED UP YOUR CLHIRED WHICK KIENT LHH DE UD HAND BY COMPHRING YOUR KICHT WITH OTHER CLAIMS IN THE BASIN. FOR EXHIPLE, COMPARE PRIDEITY DATES, FLOW MRIES, OULHES, OR ACRES IRRIGHTED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WHITE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MAY ERSERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EMPLANATION OF VOIR CLARIDO WHATER IGHT THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABLITY." IF YOU KEED DESECTION FORMES, OR HADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES IO YOUR REDUST YOU CAN CONTACT THE WATER COURT BY CALLING 1-600-624-3270_[WITHIN MONIFAND ONLY) OR 1-405-586-386, OR BY WRITING TO P.D. BOX 879. BOZEMAN MT 59771-0879.

PRELITINARY DECREE PAGE 3,732 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077391-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESDURCES AND CONSEQUENT ON CONTROL OWING THE EXAMINATION PROCESS. THESE CHANGES HER AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIXINARY DECREE AND NOTICE OF AUGUSTALITY." UNLESS OBJECTED TO OF CHLLED IN ON MOTION OF THE MOTIANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BRITACH. (SEE SECTION 68-2-233. MONTANGA COLD ENDOTATED.

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	IEPT OF INTERIOR BUREAU OF LAND MGMT) 36800 MT 59107
PURPOSE_CUSE:	WILDLIFE
SDURCE:	UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER
PRIORITY_DOIE:	OCTOBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE
ELDW_ROIE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
NOTURE:	3.21 AF
PERIOD_DE_USE:	JANUARY 01 TO DECEMBER 31
POINT_OF_DIVERS	SION_BND_MERNS_DE_DIVERSION :
1	DI_BLK_QIR_SEC_SEC_INP_RGE_COUNTY
01	SEMENW 26 33M 38E VALLEY DAM
BESERUDIR:	
	OTR_SEC_SEC_IMP_RGE_COUNTY
01 DHSTREAM	SEMENW 26 33M 38E VALLEY
RESERUDIR	LAKE NAME: FORSMAN RESERVOIR
PLBCE_DE_USE_F	JR_WILDLIEE:
828	ESLOT_BLKQTR_SECSECTWP_RGECOUNTY
001 002 003	W2SWSE 23 33M 3BE URLLEY EASESW 28 33M 3BE URLLEY NEWW 26 33M 3BE URLLEY
REDBRK5 :	

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 & - W - 077391 - 00 & CCONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH MISTORICAL PRACTICES. WO77391-00, WO77392-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRC DURING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REHAIM

UNDESCLUED IF MO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CRIMED RIGHT IN THE HATTER OF THE DERBORN DRAINAGE REA, 234 MONT, 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPPERE COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY CUMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW MATES, OULNIES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRASINS OR SUBBASINS AS USELL AS BEING USUBJECT TO DIHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHYTILED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PY CALLING 1-800-524-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.0. 81X 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,734 MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ARCTEGAT OF WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE CREEK THE WATER CONTROL OF THE WATER CO

WATERARIGHTANUMBER#400#-W-077392-00

REDBRKS:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ROSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO ENHANCE OF THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAIN WATER COUNT OF THE WATER RIGHT CLAIM EXAMINATION FULLES AS ADOPTED BY THE MONTAIN WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION FULLES AS ADOPTED BY THE MONTAIN WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION FULLES AS ADOPTED BY THE MONTAIN OF THE MONTAIN THE

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE.

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 HT 59107 PURPOSE (USE2: STOCK SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER PRIDRITY DATE: OCTOBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE ELOW_RBIE: MG FLOW ARTE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: .79 AF PERIOD_OF_USE: JANUARY 01 TO DECEMBER 31 PUBLIS JANUARY 01 TO DECEMBER 31 PUBLIS DIVERSION AND WEAKS OF DIVERSION: LOT_BLK_OIR_SEC_SEC_IMP_BGE_COUNTY	
BILLINGS HT 59107 PURPOSE 1USE2: STOCK SDUBCE: UNNAMED TRIBUTARY OF CANYON CREEK SDUBCE: SUMFACE WATER PRIDRITY_DBIE: OCTOBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE ELGY_BBIE: MO FLOW RATE HAS BEEN OECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: .79 AF PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 **POINT_OF_DIVERSION_AND_MEMIS_OF_DIVERSION: LDT_BLK_OIR_SEC_SEC_TUP_RGE_COUNTY	
SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER PRIDRITY_DATE: OCTOBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE ELOW_RATE: MG FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUBE: .79 AF PERIOD_DE_USE: JANUARY DI TO DECEMBER 31 POINT_DECRESSION_AND_MEMS_DE_DIVERSION: LDT_BLK_DIR_SEC_SEC_TUP_RGE_COUNTY	
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TYPE OF HISTORICAL RIGHT: USE ELGW_RBIE: MG FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: .79 AF PERIOD_DE_USE: JANUARY DI TO DECEMBER 31 * POINT_DE_UVERSION_AND_MEANS_DE_DIVERSION: LDT_BLK_QIR_SEC_SEC_TYP_RGE_COUNTY	
THIS ONSTREAM RESERVOIR. VOLUME: .79 AF PERIOD_OE_USE: JANUARY DI TO DECEMBER 31 * POINT_DELVERSION_AND_MEANS_DE_DIVERSION: LOT_BLK_QIR_SEC_SEC_IMP_RGE_COUNTY	
PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31 POINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION:LOT_BLK_OIR_SEC_SEC_IMP_RGE_COUNTYMEAUS	
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LDI_BLK_OIR.SEC.SEC.IWP.RGE_COUNTYDEBUS	
O1 SENENU 26 33N 38E VALLEY DAM	
RESERVDIR:	
QIR_SEC_SEC_TWP_RGE_COUNTY	
OI ONSTREAM SENENW 26 33N 38E VALLEY	
RESERUDIR/LAKE NAME: FORSMAN RESERUDIR	
PLBCE_DE_USE_EDB_SIDCK:	
ACRESLOI_BLKQIR_SEC_SEC_IWP_RGE_COUNTY	
001 W25W5E 23 33N 3BE UALLEY 002 E25E5W 23 33N 3BE UALLEY 003 NENW 26 33N 3BE UALLEY	

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PRELITITARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077392-001(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE KIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT IO ALTERNATE AND EXCHANGE THE USE CHUPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO77391-00, W077392-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1 DAIR, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLRIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLRIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, OULLWES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DIFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE THININGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHITLED "MOTICE OF ENTRY OF PRE-ININARY DEFRE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA CHLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMB MT 59771-0879.

03/31/95 PRELIMINARY DECREE PAGE 3,736 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077393-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEQUATION CONRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAIN AFTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAIN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIEMARY DECREE AND NOTICE OF AUGLIBBLITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COU

s	SHOWN ON TH	IS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)
		A COEPT OF INTERIOR BUREAU OF LAND MGMT)
		ILLINGS MT 59107
	PURPOSE_CUS	E2: WILDLIFE
Ŧ	SOURCE:	CANYON CREEK, WEST FORK SOURCE TYPE: SURFACE WATER
	PRIORITY DR	RIE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE
	ELDW_RATE:	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
	POLUME:	3.21 AF
	PERIOD_DE_U	JSE: JANUARY 01 TO DECEMBER 31
*	GOIRI OF DI	CVERSION_AND_MEANS_DE_DIVERSION:
	01	NWSESE 30 33H 38E VALLEY DAM
	RESERVOIR	
		OTR SEC SEC TWE RGE COUNTY
	O1 ONSTRE	EAN NUSESE 30 33H 38E VALLEY
*	PLACE_DE_US	SE_FOR_WILDLIEE +
		BCRESLOI_BLKQIR_SEC_SEC_IWP_RGE_COUNTY
	001	NWSESE 30 33M 38E VALLEY
	REDORKS:	
	MULT	WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE IPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077393-00*(CCNTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH !ISTORICAL PRACTICES. W077393-00, %077394-00.

THE FOLCOMING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

E EXAMINATION OF THIS WERE RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNDESCRIBED IT NO BRACETIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DERAIMAGE AREA, 234 MONT. 343 (1998) THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATEO: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO. APPROPRIATION RIGHT WAS RECORNZED FOR RECREATION, FISH AND VILOLIFE, EXCEPT THROUGH A MUMPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARK EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUDILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANATLABILITY." IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 897, BOZEMAN MT 5971-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATER * RIGHT * NUMBER * 400 * - W-077394 - 00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR REMEMBED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATUREN, RESDUCKES AND COMPSERVATION CONCY DURING THE EXPANIANTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM WATER COUNT OF ITEM WATER RIGHT CLAIM EXPANIANTION RULES AS ADDITED BY THE MONTHAM BY SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

UBJECTIONS HAY BE FILED RECORDING TO THE PROCEDURES UDITIED IN THE DECOMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.) USA COEPT OF INTERIOR BUREAU OF LAND MGMT) DWNERS: PD BOX 36800 MT 59107 PURPOSE CUSE): STOCK * SOURCE: CANYON CREEK, WEST FORK SOURCE TYPE: SURFACE WATER PRIORITY DOTE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTREAM RESERVOIR. **UDLUME:** .79 RF PERIOD OF USE: JANUARY OF TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP_RGE_COUNTY MEANS 01 NWSESE 30 33N 38E VALLEY DRM RESERVOIR: OIR SEC SEC INP RGE COUNTY O1 ONSTREAM NWSESE 30 33N 38E VALLEY # PLACE OF USE FOR STOCK+ ACRES LOT BLK CIR.SEC SEC IMP RGE COUNTY 001 HUSESE 30 33N 38E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077394-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077393-00, W077394-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT OF THE RIGHTS OR YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF RUPAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PREISTAINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU WEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-524-356 (WITHIN HONTAND ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 5977-0879.

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PRELIMINARY DECREE MILK RIVER BELOW WHITE WATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-V-077395-00

TMPDRIANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION CONECT DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENERY OF PRELIMINARY GEREE AND NOTICE OF AUATLABILITY." UNLESS OBJECTED TO GE CALLED IN ON MOTION OF THE MOTIMAN WATER COURT IN THE DECREE, THE ELEMINS OF HILLS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MOTIMAN CODE ANNOTATE). DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNHAMED TRIBUTARY OF CANYON CREEK, WEST FORK * SDURCE: SOURCE TYPE : SURFACE WATER PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE ELOW_ROIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR. UCLUME: 46.01 RF PERIOD_OF_USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTE SEC SEC IMP RGE COUNTY MEANS... 01 NWNWSE 31 33N 38E VALLEY DAM RESERVOIR: ___OIR_SEC_SEC_IVE_RGE_COUNTY_____ O1 ONSTREAM NWNWSE 31 33N 3RE URLLEY RESERVOIR/LAKE NAME: NEWBERRY FLAT RESERVOIR CAPACITY: ____46.B_BC_EI DAM HEIGHT: _14_EI SURFACE AREA: ____BCRES THE DAM HEIGHT HAS BEEN ESTIMATED BY UNRC. SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE OF USE FOR WILDLIFE: ACRES LDI BLK DIR SEC SEC IMP RGE COUNTY 001 002 003 SUSUNE HEE 38E 38E VALLEY

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400s-V-077395-001(CONTINUED)

PLACE OF USE CONTINUED:

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NWNWSE 31 33N 38E URLLEY NENESW

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. IN DECREES THE RIGHT TO HITEMATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077395-00, W077396-00.

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS IN THE MALIDITY OF THIS ACCURATED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 274 MONT, 93 (1988) CTHE BEAN LAKE CASE) THE MANTIAN, SPECER COURT SHIED. IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT SECONTIES OF RECREATION, FISH AND EXCEPT THROUGH A MURPHY RIGHT STATUTE.

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A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPRRING JURR RIGHT WITH OTHER CLAIMS IN THE BBSIN. FOR EXAMPLE, COMPRE PRIORITY DATES, JOURNAISE, DRACKES IRRIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISHA SHE SELL AS BEING SUBJECT OF THE RIGHT FOR YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF WORLD RESULT OF THE PRELIMINARY DECREE AND NOTICE OF WORLD RESULT OF THE PRELIMINARY DECREE AND NOTICE OF WORLD RESULT OF THE PRELIMINARY DECREE AND NOTICE OF WORLD RESULT OF THE PRELIMINARY DECREE AND NOTICE OF WORLD RESULT OF THE PRESULT OF THE PR

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLAINATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF DUCUMENT ENTITLED "MUTLE UP ENTRY UP PRELIMINARY DECREE AND MUTLED UP HAVILABILITY." IF YOU NEED OBJECTION FORDS, OR HAVE QUESTIONS ABOUT WHER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHTN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZERNH MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATTERERIGHTENUMBERE4001 - W-077396-00

IMPORTANT NOTICE

YOURS WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED AR HORDED. AN ASTERISK (2) HAS BEEN PRICE MENT TO EACH LIEM TO PROPERTIE MY OF METURAL RESOURCES HAS CONSERVED WORKED OUT HE WATER TO PROVE THE METURAL RESOURCES HAVE CONFIDENCED WHEN CHARCE OUT HE WATER TO RECEIVE AS A WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAMA

REFECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT INTLED "MOTICE OF ENTRY OF PRELIMINARY DEEPER AND NOTICE OF ANALIGH BILITY."

MILESS OBJECTED TO OR CALLED IN ON NOTION OF THE NOTICE OF ANALIGH BILITY."

BICTREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
S SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), NONTRINE COME ANNOTATED.

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MONTO PO BOX 36800 59107 PURPOSE (USE2: STOCK UNNAMED TRIBUTARY OF CANYON CREEK, WEST FORK # SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY OBJE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS UNSTREAM RESERVOIR. ELOW_RATE: .79 AF **UDLUME:** PERIOD_OF_USE: JANUARY OF TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: _LOI_BLK OTR_SEC SEC TWP RGE COUNTY. MERNS 01 NUNUSE 31 33H 3BE VALLEY DAM RESERVOIR: OTR_SEC SEC TWP RGE_COUNTY O1 ONSTREAM NUNUSE 31 33N 38E VALLEY RESERVOIR/LAKE NAME: NEWBERRY FLAT RESERVOIR CAPACITY: _____46_B_BC_ET DAM HEIGHT: _14_ET SURFACE AREA : SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. SEE THE DAM HEIGHT HAS WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE OF USE_EOR_SIDCK: _8CRES_ LOT BLK OTR SEC SEC TWP RGE COUNTY 100 31 A33N 38E VALLEY

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERESONE -- W-077396-00% (CONTINUED)

PLACE OF USE CONTINUED :

003 004 005

SENU NWNWSE 33N 38E UALLEY NENESU

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES W077395-00, WO77396-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DIKER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED - ALSO, YOUR WATER RIGHTS IN ADJOINTING BASINS MR SUBBASINS AS WELL AS BEING SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS MR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FLYNALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS PAN BE REVIEWED AT THE DEFIRE LORDING TORM THE PROCEDER AND NOTICE OF ENTRY OF PRELIMITARY DEDRE AND NOTICE OF MATERIALITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FUNDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLE. NOTICE OF ENTRY OF TRELIMINARY DECREE MOD NOTICE OF ROMILABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WHER COURT REPORTS OF CHARGE STO YOUR RIGHT, YOU CAN CONTINUE THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHER DALY) OR 1-406-366-4364, OR BY WRITING TO P.D. BOX 679, SOZERAM MT S977-10879.

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER #RIGHT #NUMBER#400#-W-077397-00

THEORYGANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY MADE CUBBGES FROM YOUR WATER RIGHT AS CLAIMED OR APPENDED. AN ASTRISK C2) HAS BEEN MICHOLO NEXT TO EACH ITEM THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA UNDER COURT.

DEJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIMARY DECREE AND MOTICE OF AUMILABILITY." WILESS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIFAIN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION BS-2-23) MONTHAN COOR ANNOTATES.

DYNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MCMT)
PO 80X 36800 BILLINGS MT 59107 PURPOSE CUSE): VILOLIFE UNNAMED TRIBUTARY OF CANYON CREEK SOURCE TYPE: SURFACE WATER SOURCE: PRIORITY DELE: JUNE 28, 1965
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **VOLUME:** 5.21 AF PERTOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT_OF DIVERSION_AND_MEANS_OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE_COUNTY MERNS 01 NUSUNE 34 33N 38E VALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE_COUNTY O1 ONSTREAM NWSWNE 34 33N 38E VALLEY * PLACE_OF_USE_FOR_WILDLIFE: BCRES LOT BLK OIR SEC SEC TWP RGE COUNTY

BEMBEKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

NWSWNE

34 33N 38E VALLEY

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MRICK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERARIGHTANUMBERA4002-W-077397-00x(CONTINUED)

REMARKS CONTINUED:

1

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077398-00.

THE FOLLOWING ISSUES VERE DENTIFIED BY THE DING DURING ITS

2 EXAMINATION OF THIS WATER RIGHT CLAIM - THESE ISSUES MAY REMAIN

2 LIMPERS UPON THE THE NO ADJECTIONS ARE FIRED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERBORN DRRINGE REA. 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE HONTIANA SUPERIE COURT STREET. "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO REPORTATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND WIDLIFF, EXCEPT THROUGH ATMEMPTY RIGHT STRUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACKES IRRIGHEO. ALSO, YOUR WITER RIGHT HAY BE SUBJECT TO WHER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO DHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELITITARY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DEFRE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 CWITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX BYS. BOZEMAN HT 5977-10789.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-07739B-00

THEORYGAN NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MICHOED. AN ASTERISK CT) HAS BEEN PLRED NEXT TO EACH ITEM CHANGED BY THE OPPRAITENT OF HATURAL RESOURCES AND CONSEQUATION CONKED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE ODCUMENT ENTILED -NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANALISHITY. HILESS DESCREED TO BE CALLED IN NOTION OF THE NOTHAND MATER COURT IN THIS DECREE, THE ELECTION THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FIRML DECREE AS SKOWN ON THIS RESTRACT. (SEE SECTION 65-2-23), MONTHAN COUR ENNOTHER).

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS: PD BDX 36800

BILLINGS 59107

PURPOSE CUSED: STOCK

UNNAMED TRIBUTARY OF CANYON CREEK 50URCF : SOURCE TYPE: SURFACE WATER

PRIORITY DBIE: JUNE 28, 1965
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW_ROIE:

.79 AF UDLUME:

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND BEAMS, OF DIVERSION:

LOT BLK OTP SEC SEC TWP RGE COUNTY MEANS NWSWNE 34 33N 38E VALLEY 01 DAM

RESERVOIR:

OIR SEC SEC IMP RGE COUNTY

01 DNSTREAM NUSUNE 34 33N 38E VALLEY

* PLOCE_DE_USE_EOR_STOCK:

____BCRES____LDI__BLK__QIR_SEC__SEC__IWP_RGE_COUNTY_____

001 NUSUNE 34 33N 38E UALLEY

REDORKS:

THE WATER AIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077398-00%(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077397-00, W077398-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OHNER CLAIMS IN THE BASIN - FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UNLUMES, OR ACRES IRRIGATED. ALSON, YOUR WATER RIGHT ANY DE SUBJECT TO WATER RIGHTS AND ADJUNING BRAINS OR SUBBASINS AS WELL AS BEING SUBJECT OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

CUMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGULABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BDIZEMAN MI 59771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BRSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077399-00

THEORYGAN NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLADING OR AMENDED. AM ASTERRISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIR EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITIANRY DECREE AND MOTICE OF ANALABLITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPERE IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTHAN COURT ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800

59107

PURPOSE_CUSED: WILDLIFE

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SDURCE :

SOURCE TYPE: SURFACE WATER

PRIORITY_DBIE: FEBRUARY 12, 1936

TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELOW RATE:

VOLUME: 8.40 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE_COUNTY. MEANS SESUNE OR 33N 39E VALLEY DAMPIT

01 RESERVOIR:

OTR SEC SEC TWP RGE_COUNTY_

SESUNE OF BEN BUT UALLEY O1 ONSTREAM

RESERVOIR/LAKE NAME: CASPER RETENTION RESERVOIR

PLACE_DE_USE_EDR_WILDLIFE:

ACRES LOT BLK QTR_SEC_SEC_TWP RGE COUNTY_

001 E2SWHE OZ 39N 39E VALLEY

BEMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DDES NOT INCREASE THE

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PRELIMINARY DECREE HILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400x-W-077399-00#(CONTINUED)

REMARKS CONTINUED:

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1

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077399-00, W077400-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DINCE OUTLING ITS

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

WREEST UPD 15 MO DESPETTIME AGE FILES.

THE PRIDRITY DATE IS QUESTIONABLE. THE BLM PROJECT COMPLETION REPORT INDICATES A COMPLETION DATE OF JUNE 17, 1966.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAIMGE AREA, 224 MONT. 343 (1988) (THE BERN LARE CASE) THE MONTAINA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAINA LAW SEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFF, EXCEPT THROUGH A MURRHY RIGHT STATUTE."

THE RESERVOIR IS NOT SHOWN IN RERIAL PHOTOGRAPH NO. NC-114-205, DATED 7-26-59. IT APPEARS TO HAVE BEEN BUILT AFTER 7-26-59.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIDERTY DATES, FLOW RATES, UDLINES, OR ACKES INSTRUCTED AS USON, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHT IN ADJOINING BASIMS OR SUBBASING AS WELL AS BEING SUBJECT TO STHER RIGHTS ON YOUR SOURCE OF SUPPLY, FIRMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OCCUMENT ENTILLED "MOTIONE OF ENTRY OF PRELIMINARY DECREMENT OF THE OFFICE AND NOTICE OF ANY OF PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTAND BILLY) DR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, 80278H MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077400-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRAIK (2) HAS BEEN PLACED NEXT TO EARCH ITEM CHANGED BY THE DEPARTMENT OF HAURAL RESOURCES AND CONSERVATION CONRC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTILED -NOTICE OF ENTRY OF PRELIGINARY OFFICE AND NOTICE OF AUMILABILITY.—
UNLESS OBJECTED TO OF CALLED IN ON NOTION OF THE MONTHNA WATER COURT IN THIS DECKEE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECKEE & SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MONTHNA CODE ANNOTATED.

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MONT) PO BOX 36800 BILLINGS

MT 59107

PURPOSE_CUSE): STOCK

SQURCE : UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE TYPE: SURFACE WATER

PRIDRITY_DATE: FEBRUARY 12, 1936 TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. ELDW_SAIE:

VOLUME: .62 AF

PERIOD_OF_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC INP RGE COUNTY MEBNS DAM/PIT

DIR SEC SEC INP RGE COUNTY

01 SESWNE OR 33N 39E UBLLEY

RESERVOIR:

01 ONSTREAM SESWNE OZ 33N 39E VALLEY

RESERVOIR/LAKE NAME: CASPER RETENTION RESERVOIR

PLACE_BE_USE FOR STOCK:

___OCRES____LOI_BLK__QIR_SEC_SEC_IWP_RGE_COUNTY_

001 E25WNE OZ 33N 39E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERE 400 = - W-077400-001(CONTINUED)

REMARKS CONTINUED:

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EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. ₩077399-00, ₩077400-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE IS QUESTIONABLE. THE BLM PROJECT COMPLETION REPORT INDICATES A COMPLETION DATE OF JUNE

THE RESERVOIR IS NOT SHOWN IN AERIAL PHOTOGRAPH NO. NC-11W-205. DATED 7-26-59. IT APPEARS TO HAVE BEEN BUILT AFTER 7-26-59.

A BETTER UNDESTANDING DE YOUR CLAIMED WATER RIGHT CAN BE DETAILED BY COMPARING YOUR RIGHT VITH OTHER CLAIMS IN HE BREATH. FOR EXAMPLE, COMPAGE PRIDGITY DATES, FLOW RATES, VOLUMES, OR ACRES TRAIGHTED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO MATER RIGHTS ON ADJOINING BREATH OR SHELL AS BEING BUSINED TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS ON YOUR SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONCE EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LICATIONS IDENTIFIED IN THE DECLIMENT ENTITLED "MOTICE OF ANAILABILITY."

SEE GERERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FUTTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE THANKS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED OF SHIRY OF PRELIMINARY DECREE AND NOTICE. OF PUBLISHED THUILES THOU ILES OF RELITIONARY DECREE AND NOTICE OF RUADIABILITY. IF YOU NEED BLEETION FORMS, OR HAUE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-B00-624-3270 (WITHIN MONTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80% 879, BOZEMAN MT 55771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:-W-0774O1-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE EARLY THE PARTHENT OF HATTERAL RESOURCES AND ENSERVATION CONRC) DURING THE EXAMINATION PROCESS. THESE CHANGES RE AUTHORIZED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOPTED BY THE MONTHANA SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTILED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 95-2-233, NOTHANA CODE ANNOTATE).

MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT OF STATE LANDS PO BOX 201601 HELENA MT 59620-1601 PURPOSE CUSED: STOCK UNNAMED TRIBLITARY OF PORCUPINE CREEK, WEST FORK SOURCE : SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS CHSTREAM RESERVOIR. THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANTAN LUNIT. ANIMAL UNITS SHALL BE BESED ON RESONABLE CARRING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY * ADTINE : THIS WATER SOURCE. PERIOD_OF_USE: JANUARY 01 TO DECEMBER 31 * POINT_DE_DIVERSION AND_MEANS_OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NUMES W 34 33K 39E VALLEY DAM RESERVOIR: OTR_SEC SEC TWP_RGE_COUNTY_ 01 ONSTRERM NWNESW 04 33N 39E VALLEY * PLOCE_DE_USE_FOR_STOCK: ___OCRES___LOI BLK QIR SEC_SEC_IMP_RGE_COUNTY____

REMORKS:

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NUNESU 04 33N 39E UALLEY

03/31/95

PRELIMINARY DECREE PRELIMINARY DECREE PRILK RIVER BELOW WHITEWATER CREEK HOLUDING PORCUPINE CREEK RASTH AND

ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400x - W-077401-00 & CCONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERA, PUPPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURD WITH HISTORICAL PRACTICES. W077401-00, W077402-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

* THE OMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A SETTER UNDERSIANDING OF YOUR CLETHED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLETHS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW MATERS, UNLINES, OR RORES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WHITE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO DINER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDICAN RESERVED WAS RESERVED WATER RIGHT MAY BE SUBJECT TO INDICAN RESERVED WAS RESERVED.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DECUMENT FORTILE OF BRITTLE PROTICE OF FRANKLABILITY.— IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (VITHIN MONTANA DULY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK MASSA 400

ARSTRACT OF WATER RIGHT CLAIM

WATERIRGHTINUMBERIAGON-W-077402-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CLONGES FROM YOUR WATER RIGHT AS CLAIMED OR RHENDED. AM ASTERISK CAS 1 HAS BEEL HEACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATUREL RESOURCES ATO CONSERVATION CONRC. DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDPTED BY THE MONTANA WATER SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED -NOTICE OF ENTRY OF PRELIMINEY DECREE AND NOTICE OF AUGUSTITY. - UNLESS DESCREED TO DR CALLED IN NOTION OF THE HONTAINS WATER COURT IN THIS CLARKE WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 65-2-23), MONTAINS CODE REMONATED.

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER DEPT_OF_STATE LANDS

PO 80X 201601

HR MT 59620-1601

PURPOSE_CUSE: WILDLIFE
SOURCE: UNNAMED

UDI LIME :

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE TYPE: SURFACE WATER

SOURCE THE SORTHER WHILE

PRIORITY_DBIE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

O1 NWNESW O4 33N 39E URLLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

OI DISTREAM NUMESU O4 33N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

--- OCRES LDT BLK QIR SEC SEC INP RGE CDUNTY

DO1 NWMESW O4 33M 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRIGHTINUMBERIAGOZ-W-077402-001(CONTINUED)

REMORKS CONTINUED.

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x x *

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077401-00. W077402-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESQUED IF NO BOJECTIONS ARE FILED. x Ŧ

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS 10 THE CHILDLY OF THIS CALLARINE RIGHT. IN THE MATTER OF THE CRARBING DRAINAGE REA, 294 MONT, 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTAND LAW BEFORE 1973, NO APPROPRIATION REGIST WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE .-

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING H BELIEK UNDEKS INDIMG UF YUUK CHILBU WHIEK KILBI CHI WE US HINEU BY CUMPKING YUUR KIGHT WITH OTHER CLIAINS IN THE BASIN. FOR EXHMPLE, COMPARE PRIORITY DATES, FLOW RATES, OULDIES, OR RORES INCIDENCE ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASIN AS WELL AS BEING SUBBECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPENER LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITIMARY DECREE AND NOTICE OF AUGILEBLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINIARY DETRE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 CUITMIN MONTANA DALY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,756 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,756 PAGE 3,756

MATERIRIGHTANUMBERA4001-W-077403-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGES BY THE DEPARTMENT OF HAVINGAL RESOURCES AND CONSERVATION CONECD DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAIN AFTER COURT OF THE WATER RIGHT CLAIM ENABLANDATION RULES AS ADDITED BY THE MONTAIN SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUMILABILITY." UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHAND MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER TRIST WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS OBSTRACT. (SEE SECTION 85-2-233, MONTANG CORE ANNOTHER)

DWKERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 RTLLINGS 59107 PURPOSE_CUSED: WILDLIFE SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. ELDW_ROIE: UDLUBE: 4.21 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: MEANS LOT BLK OTR SEC SEC TWP RGE COUNTY NUSUSE OF BBN 39E UALLEY DAM 01 RESERVOIR: OIR SEC SEC IMP RGE COUNTY NWSWSE O6 33N 39E VALLEY 01 ONSTREAM * PLACE OF USE FOR WILDLIFE: GCRES LOT BLK DIR SEC SEC TWP RGE COUNTY 001 NZSWSE O6 33N 39E VALLEY RUBBKSt

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELDW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSIPACT OF WATER RIGHT CLATM

WATER:RIGHT:NUMBER:400:-W-077403-00:CCONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077403-00. W077404-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS

EXAMPLIATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

T UNRESOLUED IF MO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERRORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STRIED! "IT IS CLEAR THEREFORE THAT UNDER HONTAND AND BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STRIUTE."

A BETTER UNDERSTANDING OF YOUR CLATHED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH DITHER CLATMS IN THE BASHA. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATLS, UGLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BRASHAS OR SUBBRISH OR SUELL AS BETTM GUBBLET OF OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITATINGY DECREE AND MOTICE OF AVOILABLITY."

SCE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED AN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DEFREE AND NOTICE OF AVAILABILITY." IF YOU HEED OBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0079.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM PAGE 3.758

WATER*RIGHT*NUMBER*400*-W-077404-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRETSK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGES BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEQUENTION CONRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION PULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIXINARY DECREE AND MOTICE OF AUGILABILITY."
UNLESS GOSCIED TO OR CALLED IN ON MOTION OF THE MOTIANN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLOTHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-23), MOTIFAN COOR ENHOTATED.

DWBEBS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BUX 36800
BILLINGS MT 59107

PURPOSE_CUSED: STOCK

UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER SQURCE:

PRIDRITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE:

ADTAUL : .79 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT DE DIVERSION AND MEANS DE DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

NWSWSE O6 33M 39E URLLEY DAM 01

RESERVOIR:

____OIR_SEC_SEC_IMP_RGE_COUNTY OI ONSTREAM NWSWSE OF 33N 39E VALLEY

* PLACE_OF_USE_FOR_STOCK:

ACRES LOT BLX OIR SEC SEC TVP RGE COUNTY

NESUSE OG 33N 39E VALLEY 001

REMORKS :

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWOTER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 & - W-077404-00 & CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN RECORD WITH HISTORICAL PRACTICES. W077403-00, W077404-00.

* THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES INTIGATED. ALSO, YOUR WATER RIGHTS IN ADJOINING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO WATER RIGHTS IN ADJOINING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAR, RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE THOMINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DETRE AND MOTICE OF AVAILABILITY." IF YOU KEED DBJECTION FORTS, OR HAVE QUESTIONS ABOUT WATER COURT PY PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRALING 1-BOO-624-3270 (WITHIN MONTHAM DNLY) OR 1-406-586-4384, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 59771-0073.

PREI THINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*~V-077405-00

THEORETANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSEQUATION CONEC) DURING THE EMATLANTIAN PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EMAILANTIANTOM RULES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUMILABBLITY." UNLESS OBJECTED TO GET CALLED IN ON MOTION OF THE MOTIANN WHERE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-23), MOTHANG MOTE AND THE DECREE

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMTD PO 80X 36800 MT 59107 PURPOSE CUSED: WILDLIFE UNNAMED TRIBUTARY OF BUGGY CREEK SOURCE TYPE: SURFACE WATER SJURCE: * PRIORITY DATE: DECEMBER 31, 1936
TYPE OF HISTORICAL PIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. FLOW RATE: 10.48 RF UOLUME: PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 DAM NWSWSW OB 33N 39E VALLEY RESERVOIR: OTR SEC SEC IVE RGE COUNTY OI DISTREAM NWSWSW OB 33N 39E VALLEY * PLACE OF USE FOR WILDLIFE: OCRES LOT BLK OIR SEC SEC TYP RGE COUNTY nΑ **AAN 39F** NUSUSU OB 33N 39E VALLEY 002 REBORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

*

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077405-00x(CONTINUED)

PENAPYS CONTINUED.

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERNATE AND EXCHANGE THE USE CPURPOSED OF THE WATER IN RECEIVE WITH HISTORICAL PRACTICES. WO77405-00, WO77406-00.

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNKESOLUPOI FOR DOBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING OWN RIGHT WITH DIMER CLAIMS ON THE BASIN FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLIMES, OR AGRES IRSIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING SCHISC OR SUBBASINS AS WELL AS BEING SUBJECT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE OMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "ROTICE OF ENTITY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA DALY) OR 1-406-586-484, OR BY WRITING TO P.O. BOX 879. BOZEMAN MT 59771-0879.

PRELIMINARY DECREE 03/31/95 MILK RIVER SELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077406-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO METHOD THE CHANGED BY THE CHANGED BY THE CHANGED BY THE CHANGED BY THE MONTAIN WATER CHANGES ARE AUTHORIZED BY THE MONTAIN WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAIN WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAIN AND AND ASSESSED OF THE MONTAIN WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAIN AND AND ASSESSED OF THE MONTAIN AND ASSESSED OF THE MONTAIN AND ASSESSED OF THE MONTAIN AND ASSESSED OF THE MONTAIN AND ASSESSED OF THE MONTAIN AND ASSESSED OF THE MONTAIN AND ASSESSED OF THE MONTAIN ASSESSED. SUPREME COURT.

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¥	PRICRI	IY_DBIE:	DECEMBER TYPE OF	31, 193 HISTORIC		HT: US	E					
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	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIFIC USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF											

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIM 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077406-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. MD77405-00, WD77406-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER PIGHT CAN BE OBTAINED BY COMPARING A BETTER UNDESTANDING OF YOUR CLARMED WATER PIGHT CAN BE USTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, CUMPAGE PRIORITY DATES, FLOW RATES, UCULWES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINTING BASINS OR SUBBASINS OR SUBBLICAS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED HOW FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CRN BE REVIEWED AT THE DFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RAVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "INDICE OF ENTRY OF PRELININARY DEFRE AND NOTICE OF ANOTICE OF ANOTICE OF PROCEDURES OF CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY COLLING 1-800-624-3270 (WITHIN MONTAMA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879. BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,764 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BRSIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077407-OO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AM ASTERISK (2) MAS BEEN PLACED MEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSECUTION CONRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA MATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CUILINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUALIBABILITY."

UNLESS OBJECTED TO OF CALLED IN ON MOTION OF THE MOTIFARM MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS RESTRACT. (SEE SECTION 65-2-23), MONTANHA CODE ANNOTATED.

DWHERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE_CUSED: WILDLIFE SQUECE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RAIE: THIS ONSTREAM RESERVOIR. UDLUME: 6.38 AF PERIOD_DE_USE: JRNURRY O1 TO DECEMBER 31 * POINT DE DIVERSION AND MEANS OF DIVERSION: LOI_BLK_GIR_SEC_SEC_IMP_RGE_COUNTY.... Ωı SUSENE O1 34N 39E URLLEY DAM/PII

RESERVDIR: OTR SEC SEC. IMP_RGE_COUNTY O1 DNSTREAM SWSENE O1 34N 39E VALLEY * PLACE_OF_USE_EOR_WILDLIFE:

OCRES LOT BLK OIR SEC SEC IMP RGE COUNTY 001 SWSENE O1 34N 39E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRICHTINUMBERIADDI-V-077407-001(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RUTERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077407-00. W077408-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING IS * EXMINATION OF THIS WATER RIGHT (LAIM. THESE ISSUES MAY REMAIN * LARRESULED IF NO BOLECTIONS RAF FILED.

THERE IS A QUESTICH AS TO THE UNLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MONTANA SUPPERE COURT STATED: "IT IS LLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH AT QUERNY RIGHT STATUTE."

A SETTER UNDESSTANDING OF YOUR CLATMED WATER RIGHT CAN BE DETATHED BY COUPREIGHT OF THE METHOD HER CLATMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UNIL UMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISINS OR SUBBLIAS BETLE SUBJECT TO THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMEN! ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANAILABILITY." IF YOU NEED DBJECTION FORRS, OR HAVE QUESTIONS ABOUT WATER COURT PY PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT IT WE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANN DRLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-V-077408-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAI RESURCES AND CONSERVATION CONECY JURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EMPLIANTION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES SUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DEFREE AND MOTICE OF AUGILABILITY."
UNLESS GBJECTED TO GR CALLED IN ON MOTION OF THE MOTIVARIA WATER COURT IN THIS DECREE, THE ELFMENTS OF THIS CLOTHED WATER RICH WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTAMY CODE ANNOTATE).

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS

MT 59107

PURPOSE_CUSED: STOCK SOURCE:

UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK SOURCE TYPE: SURFACE WATER

PRIDRITY_DATE: FEBRUARY 28, 1950

TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW_RATE:

UCLUME:

.62 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC THP RGE COUNTY MEANS SWSENE O1 34N 39E URLLEY

01 RESERVOIR:

SWSENE O1 34N 39E VALLEY

OIR SEC SEC IMP BCE COUNTY

01 DNSTREAM * PLACE_DE_USE_FOR_STOCK:

BCRES LOT BLK DIR SEC SEC TYP RGE COUNTY

001

SWSENE O1 34N 39F UALLEY

DAM/PIT

REMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE PAGE 3,767 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077408-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERRATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077407-00, W077408-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT IN THE WATER COURT.

A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPRING YOUR RIGHT WITH OTHER CLAIMS IN THE SHSIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLIMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISINS OR SUBBRISINS BY BULL AS BERING SUBJECT OTHER RIGHTS ON YOUR SCUREE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MATTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABLISTY."

P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077409-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN OH THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR WHENGED. AN ASTERISK (1) HAS BEEN PLACED NEXT TO EACH ITEN CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSEQUATION (OWRE) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATE COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHMARY DECREE AND MOTICE OF AUGILABILITY."
UNLESS GOBECTED TO GO CALLED IN ON HOTION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MESTRACT. (SEE SECTION 65-2-23), MOTHANG CODE ANNOTATE).

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 ATL L THES 59107 PURPOSE CUSED: STOCK UNNAMED TRIBUTARY OF PORCUPINE CREEK. WEST FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. **VOLUME:** .62 RF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TYP RGE COUNTY NESSS 01 SENWME 11 34N 3GE UALLEY DAM RESERVOIR: OTR SEL HEC IMP RGE COUNTY SENVIE 11 34H 39E VALLEY 01 ONSTREAM * PLACE_DE_USE_EDR_SIDCK: ACRES LDI BLK OTR SEC SEC TWP RGE COUNTY 001 EZNUNE 11 34N 39E VALLEY REMORKS: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSEE DOES NOT INCREASE THE EXTENT OF

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03/31/95

PRELIMINARY DECREE PAGE 3,769 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077409-00#CCONTINUED

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. 077409-00, W077410-00

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR FORCE STRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBTITED WATER RIGHTS IN ADJUINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANALABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DEFER AND MOTICE OF ANALY AS A STATE OF THE WATER FOR HAVE LABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT CY. CALLING 1-800-884-3267 (WITHIN MOTION ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NIMSER*400*-W-077410-00

THEORYANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION CONECD DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA MATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROLEDURES OUTLINED IN THE DOCUMENT ENTILED "MOTICE OF ENTRY OF PRELIMINARY DEFER AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BASTRACT. 1985 SECTION 65"2-239, MONTANA CODE ANNOTATED.

DWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) PD BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SDURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. **UDLUME:** 12.38 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MERNS_ SENWNE 11 34N 39E UALLEY 01 Dec RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 OKSTREAM SENUNE 11 34N 39E URLLEY * PLACE OF USE EDR_WILDLIFE:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

ESHANE.

001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMEN" ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWRITER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077410-00*(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE PURPOSE) OF THE WATER TH ACCORD WITH HISTORICAL PROTICES. WOT7409-00, WOT7410-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONCO DURING ITS

EXMITHATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESULED IF NO DOJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UNLIGITY OF THIS CLAIMED RIGHT. IN THE HATTER OF THE DEARBORN DRAIMAGE REA, 234 MONT. 343 (1980) (THE 9EAN LAKE CASE) THE MONTHAN SUPPENE COURT STATED. "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECORDIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A THURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING OUR RIGHT WITH OTHER CLAIMS IN THE BASTN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS OR SUBBLIAS BETTER SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLISTY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT SHITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED 0BJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-926 (WITHIN HONTINH DULY) OR 1-405-586-4584, OR BY WRITING TO P.O. 80% 4979, BUZEMAN MT 59771-0679.

PREI THINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ARSTRACT OF WATER PIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077411-00

TMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER TIGHT AS CLAIMED OR MICHOED. AN ASTERISK (#) HAS BEEN PLACED HEAT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSEQUENTION CONCED DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOTED BY THE MONTANA SUPREME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHINGY DECREE AND MOTICE OF AUGILABILITY." UNLESS OBJECTED TO GO CALLED IN ON HOTION OF THE MOTINAN MATER COURT IN THE SECREE, THE ELEMENTS OF THIS ELATHED WATER RIGHT WILL APPEAR IN THE FINEL DECREE SHOWN ON THIS BOSTRACT. (SEE SECTION 65-2-293) MONIANE OR SHOWN THE AND THE SECTION 65-2-293, MONIANE OR SHOWN THE

USA COEPT OF INTERIOR BUREAU OF LAND MGMT) DUNERS: PO BOX 36800 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE TYPE: SURFACE WATER SOURCE: PRIDRITY DATE: SEPTEMBER 21, 1950
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_RATE: THIS ONSTREAM RESERVOIR. UOLUME: .62 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS NESWSE 11 34N 39E UALLEY DAM 01 RESERVOIR: OTR SEC. SEC TWP RGE COUNTY O1 DNSTREAM NESWSE 11 34N 39E UALLEY * PLACE_DF_USE_FOR .STOCK: SCRES LOT BLK OTR SEC SEC TWP RGE COUNTY വ NESUSE 11 RAN ROF URLLEY REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELINTNARY DECREE MILK RIVER BELOW WAITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ASSTRACT OF WAITER RIGHT CLAIM

WATER#RIGHT#HUMBER#400#-W-077411-00#(CONTINUED)

PEMARKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077411-OO, W077412-OO.

* THE DNRC SKAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDGITY ORTES, FLOW RAYES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN A DOININING BRESINS OR SUBBRISINS AND WELL AS BEING SUBJECT OT OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF RUMILAGILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT BRITILED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONIANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. D. BOX 873, BOZEMAN MI 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#40D#-W-077412-00

INPORTANT NOTICE

YOUR WATER RIGHT OF SHOWN ON THIS RESTRECT MAY HAVE CHONGES FROM YE'R WATER RIGHT AS CRIME OR AMENDED. AM ASTERISK (2) MAS BEEN PLRIED NEXT TO WATER CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMES DURING THE CHANGE OF THE MATURAL PROPERTY OF THE MATURA PROPERTY OF THE MAT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITHRARY DECREE AND NOTICE OF AUGUSTATIV." UNLESS OBJECTED TO OR CRILLED IN ON MOTION OF THE MOTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SMOUND IN THIS ABSTRACT. CSEE SECTION BS-2-233, MOTHENG CODE ARMOTRED.

DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS MT 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIORITY DATE: SEPTEMBER 21, 1950
TYPE OF HISTORICAL RIGHT: USE ELOW_RBIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **UOLUME:** .38 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY DEBMS 01 NESWSE 11 34N 39E URLLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 ONSTREAM NESUSE 11 34N 39E URLLEY * PLACE_DE_USE_FOR_WILDLIFE: ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY 001 NESWSE 11 34N 39E URLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*4002-W-077412-00*(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077411-00. W077412-00.

THERE I, A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REAR, 234 MONT. 393 (1988) (THE BERN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLIEF, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN HE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UCHUES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISHS OR SUBBRISH AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FIMALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIATINGRY DECREE AND HOTICE OF ANALIBALITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0079.

PRELIMINARY DECREE PAGE 3, WILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077413-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHOUSES FROM YOUR WATER RIGHT AS GLATMED OR HENDED. HA RESTRICK (S) HAS BEEN HADED HEY TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION CONTEX OURTING THE EXAMINATION PROCESS. THESE CHANGES ARE BUTHORIZED BY THE MONTHAN ARTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN ARTER COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED -MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUALIABILITY.—
UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE HONTAWA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WHITER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS HOSTRACT. (SEE SECTION 05-2-23), MONTANIC DODE ANNOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 ATI LINGS MT 59107 PURPOSE (USE): STOCK UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY DATE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE: VOLUME: .62 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC_IMP_RGE_COUNTY MEBNS. SENESE 12 34N 39E URLLEY DAM/PIT 01 RESERVOIR: OTR SEC SEC TWP RGE COUNTY D1 DMSTREAM SEMESE 12 34M 39E VALLEY * PLOCE DE USE EOR SIDCK: 001 SENESE 12 34N 39E VALLEY

BEDORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER&RIGHT&NUMBER&400x-W-077413-00x(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077413-00. W077414-00.

THE DWRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO MEPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUTES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILBRILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "NOTICE OF ENTITY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED 08JECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAM DILY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 875, BOZEMAN NT 5977-30879.

C3/31/95 PRELIMINARY DECREE PISE 3,778 HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-077414-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED NEXT ID DECLIFIED THE METHER OF MATUREN, RESOURCES AND CONSERVATION CONEC) DURING THE EXMINATION PROCESS. THESE CHANGES ARE CHINERIZED BY THE MONTHAW WATER COURT OF THE WATER RIGHT CLAIM EXMINATION FULLS AS ADDOTED BY THE MONTHAM SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AVAILABILITY."

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	DYNERS:		EPT OF I	NTERIOR (BUREAU	OF LAND	MGMT:)		
		BILLI			MT	59107				
	PURPOSE_(USE): WILDLIFE									
	SOURCE: UNHAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK SOURCE TYPE: SURFACE WATER									
	PRIDRITY DATE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE									
	<u>ELDW_RAIE</u> : NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS OMSTRAM RESERVOIR.									
	VOLUME:		4.3	BB AF						
	PERIOD_D	E_USE :	JANUARY	01 TO DE	CEMBER	31				
	POINT_DE	DIVER	SION_AND.	WEANS_DE	DIVER	SION:				
	-		LOI_BLK_	OIR_SEC_	SEC_IW	P_RGE_CO	UUIY_			
	01			SENESE	12 34	N 39E UA	LLEY		DAM/PIT	
	RESERVOI	8:								
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	001					SENESE	12	34N	39E URLLEY	
	REMARKS :	1								

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95 PRELIMINARY DECREE PAGE 3,779 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

BASIN 400 ABSTREET OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077414-00x(CONTINUED)

PEMORYS CONTINUED.

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERMINE THE USE (PURPOSE) OF THE WATER IN RCCORD WITH HISTORICAL PRACTICES. W077413-00, W077414-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS EXMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF MO DBJECTIONS ARE FILED.

> THERE IS A QUESTION AS TO THE VALIDITY OF THIS THEM: IS A QUESTION AS 10 THE CHAIDLITY OF THIS CLAIMS RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REE, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPERME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECRERITON, FISH AND VILOLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING M BELIEK UNUEKSIHMUING UF YUUM CLHIMED WHIER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UCULWES, OR ACRES IRRIGATED. P.SO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASIMS OR SUBMOSINS AS WELL AS BERNG SUBJECT TO THER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "POINTED FE HERY OF PPELINIARY DEFREININGRY DEFRE AND NOTICE OF ROBILBRILITY." IF YOU MEED DEJECTION FORMS, OR HAVE QUESTIONS ABPJI WATER COURT PROCEDURES OR CHAMSES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOO-624-3270 VITHIN HONTAINS ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN AT 5971-0879.

PREI THINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTROPT OF MATER RIGHT CLATM

WATER*RIGHT*NUMBER*400*-W-077415-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR RHENDED. AN ASTERISK (#) HAS BEEN PLACED HEXT TO SECUL ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSEQUATION (CONC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAN WATER COURT OF THE WATER RIGHT LIGHT WATER RIGHT. SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF ANALIABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVANN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROSTROT. (SEE SECTION 85-2-233, MOTIVATION COMPRISED.

USA CDEPT OF INTERIOR BUREAU OF LAND MGMT) OWNERS:

PO BOX 36800 BILLINGS

MT 59107

PURPOSE CUSED: WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE TYPE: SURFACE WATER

POTHOLE LAKE

PRIORITY DOTE: JULY 28, 1937
TYPE DE HISTORICAL RIGHT: USE

FLOW_RATE:

UOLUME:

01

19.21 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC IMP RGE COUNTY MEANS___ N2NENE 20 34N 39E URLLEY DIRECT FROM SOURCE DIRECT FROM SOURCE

02 * PLACE DE_USE FOR WILDLIFE:

BCRES LOT BLK DIR SEC SEC TWP RGE COUNTY

NSHEHE 20 34N 39E UALLEY 20 34N 39E UALLEY 002 NWNE

REMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE PAGE 3,7 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERIRITANUMBERIAGOI-W-077415-DOICCONTINUED)

REMARKS CONTINUED:

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W077415-00, W077416-00.

** THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARG DURING ITS

E EXAMINATION OF THIS WATER RIGHT CLAIN. THESE ISSUES MAY REMAIN

** UNKRESULOU I F MO DEJECTIONS ARE FILED.

** UNKRESULOU I F MO DEJECTIONS ARE FILED.

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLATMED WATER RIGHT CAN BE DETAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINGRY DECREE AND NOTICE OF AUGILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE OGCUMENT ENTILLED "ROTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF ANALIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CHLLING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 875, BOZERAN NT 59771-70879.

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PREI THINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077416-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACTISK (2) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSECURITION FORCES. THESE CHANGES AND ENDIFICE BY THE MONTAND HATER COURT OF THE WATER RIGHT CLAIM EXPENDING RULES AS ADOPTED BY THE MONTAND SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTITY OF PRELITINARY DECREE AND MOTICE OF AUMILABLITY." UNLESS GUESTED TO OR CALLED IN ON HOTION OF THE MOTIVARY MATTER COURT IN THIS CLARKE, THE ELENGTIS OF THIS CLARKED WATER RIGHT WILL APPEAR IN THE FINAL OCCREE AS SHOWN ON THIS ROSTRACT. CSEE SECTION 65-2-23, MONTANA CODE ANNOTATE.)

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36500 MT 59107

PURPOSE (USE): STOCK

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK # SOURCE: SOURCE TYPE: SURFACE WATER

POTHOLE LAKE

PRIORITY_DATE: JULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RAIE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

UQLUME:

.79 AF

PERIOD OF USE: JANUARY OF TO DECEMBER 31

* POINT DE DIVERSION AND MERNS DE DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS NAME SO 34N 39E CALLEY DIRECT FROM SOURCE DIRECT FROM SOURCE 01

* PLACE DE USE FOR SIDCK:

ACRES LOT BLK __QTR_SEC SEC TWP_RGE COUNTY

> **HENENE** 34N NWHE 34N RIE UNLLEY

001 REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE STATE RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCRESE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077416-00±(CONTINUED)

REMORKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077415-00, W077416-00.

THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, TO DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FÜR EXAMPLE, COMPARE PRIURITY DBTES, FLOW RATES, URLUMES, OR ALRES TRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJUINING BASINS OR SUBBRISH OR SUBLEL AS BETTEN SUBJECT TO OTHER TIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OPTICE LICATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABLITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF FURTHER OF PRELIMINARY DETRE AND MILES OF AVAILABILITY.— IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 979, BOZEMAN MT 5977-3079).

03/31/95 PRELIMINARY DECREE PAGE 3,784 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077417-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLATHED OR AMENDED. AN ASTERISK CY, HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONKED OURTING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLATH EXAMINATION FULLES AS ROUPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MOTHAN WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE

5	SHOWN DN	THIS	ABSTRACT.	ESEE !	SECTION	85-5-533	, MON	rana I	CODE	RHHOTATE	כ.ם	
	DWNERS:	USA CI PO BOS BILLI	X 36800	NTERIOR		CF LAND 59107	HGMT)					
		BILL	NGS		n i	29101						
	PURPOSE_	CUSE):	STOCK									
	SQURCE:		UNNAMED SOURCE T	TRIBUTA YPE: S	RY OF PI URFACE (DRCUPINE WATER	CREEK	, WES	T FOR	RK		
	PRIDRITY DBIE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE											
	FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.											
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	PERIOD_O	E_USE :	JANUARY	01 TD D	ECEMBER	31						
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03/31/95 PRELIMINARY DECREE PAGE 3,785 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077417-00*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERHATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077417-00, W077418-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIM: IN THE BASIN FOR EXAMPLE, COMPARED PRIDEITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN A DOINTING BASINS US SUBBASINS AS WELL AS BETTM SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REUTEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODICE OF EARLY LABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTILLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTHAN DULY) OR 1-405-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN HT 59771-00799.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WHIER RIGHT CLAIM

WATERIRIGHT:NUMBER:400:-V-077418-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACKS (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSEQUATION CONNECT DURING THE EXMINISTION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURTING THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDITED BY THE MONTANA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABILITY." UNLESS OBJECTED TO OR CRILED IN ON HOTION OF THE MOTHANN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ROSTRACT. (SEE SECTION 85-2-239, MONTAN CORE ANNOTATED.

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	DWNERS:		X 36800	INTERIOR	BURE MT	AU OF LAND 59107	MGMT)				
	PURPOSE_	CUSE2 :	WILDLIF	E								
	SOURCE:			TRIBUTAR TYPE: SL		PORCUPINE E WATER	CREE	<, W ES	T FDI	RK		
	PRIORITY DATE: FEBRUARY 28, 1950 TYPE OF HISTORICAL RIGHT: USE											
	ELDY_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DISTREAM RESERVOIR.											
	AUTABE:		4.	38 AF								
	PERIOD_0	E_USE :	JANUARY	01 TO DE	CEMB	ER 31						
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	LOT BLK GIR SEC SEC TWP RGE COUNTY MEANS											
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	001					NUNUNE NENENU	23 23	34N 34N	39E 39E	URLLEY		

REMBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT OF SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#~W-077418-00#(CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077417-00, W077418-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLUED IF NO OBJECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIMED RIGHT. IN THE HATTER OF THE DERRORM DRAINAGE RAEN, 239 MONT. 393 (1988) CTHE DERRICHE CASE) THE HONTAINA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER HONTAINA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILLLIFE, EXCEPT THROUGH A PURPHY RIGHT STATUTE."

A BETTER UNDERSTRADING OF YOUR CLAIMED WATER RIGHT CAN BE DETAINED BY COMPARING VOUR RIGHT WIN OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UCLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS LANDJOINING BASINS OR SUBBRISHS AS WELL AS BEING SUBJECT TO OTHER RIGHTS OR YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITHIRAY DECREE AND MOTICE OF ADALBASILTY."

SEE GENERAL FINDINGS OF FRCT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DESCREE AND NOTICE OF AVAILABLETY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROT THE WATER COURT BY CALLING 1-BOO-526-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 475, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077419-00

IMPORTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACK CLAIMED OR AMENDED. AN ASTRACK CLAIMED AND THE OFFICE OF THE CHANGES AND COMPARED NOT THE CHANGES AND COMPARED TO THE CHANGES AND COMPARED BY THE MOTHAN WATER COUNT OF THE WATER RIGHT CLAIM SANINATION RULES AS ADDITED BY THE MOTHAN AFTER COUNT OF THE WATER RIGHT CLAIM SANINATION RULES AS ADDITED BY THE MOTHAN OF THE MOTHAN ASTRACK. SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MUTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUNILABILITY." UNLESS OBJECTED TO OR CALLED IN MITOTION THE MOTHAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BESTRACT. CSEE SECTION 85-2-233, MONTHAN COURT ANNOTHER.

DWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)

PO BOX 36800 BILLINGS NT 59107

PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK

SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: ETLED

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. FLOW RATE:

UBLUME:

.62 RF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS NESESE 25 34N 39E URLLEY

01 RESERVOIR:

OTR SEC. SEC. TWP. RGE COUNTY

O1 ONSTREAM N25ESE 25 34N 39E UALLEY

RESERVOIR/LAKE NAME: CULVER RETENTION RESERVOIR

* PLACE OF USE EOR STOCK:

ACRES LOT BLK OIR SEC SEC TWP RGE COUNTY

001 NZSESE 25 34N 39E VALLEY

REMORKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HOLTPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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DAM/PIT

HILK RIVER BELOW WHITEHOUSE REEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4005-W-077419-005(CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RATERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077419-00, W077420-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2 DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXMPNLE, COMPARE PRIORITY DATES, FLOW KATES, UDLINES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO THOSAIR RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTILLED "MOTICE OF AVAILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELININARY DECREE AND NOTICE OF AVAILABILITY." IF YOU MEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. 30X 879, ROZFANA MT 5977:1-0479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077420-00

THEORETANT NOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT ID GOLI ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION (CONC.) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY." UNLESS DBJECTED TO OR CRILED IN ON NOTION OF THE MOTHAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. CSEE SECTION 85-2-233, MONTHAN CODE ANNOTATED.

DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107

PURPOSE (USE): WILDLIFE

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE TYPE: SURFACE WATER SOURCE:

* PRIGRITY DRIE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM FLOW_RATE:

THIS ONSTREAM RESERVOIR.

UDILUME: 1.38 AF

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEBNS

01

N2SESE 25 34N 39E VALLEY

RESERVOIR:

OTR SEC SEC TWP RGE COUNTY.

O1 DNSTREAM NZSESE 25 34M 39E VALLEY

RESERVOIR/LAKE NAME: CULVER RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

100

NZSESE Z5 34N 39E UALLEY

DOM/PTT

REBARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95 PRSE 3.791

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATER *RIGHT * NUMBER * 400 * - W-077420-00 * (CONTINUED)

REMARKS CONTINUED:

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ż ž ¥ Ŧ z THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077419-00, W077420-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REI UNRESOLVED IF NO OBJECTIONS ARE FILED. THESE ISSUES MAY REMAIN ¥

THERE IS A QUESTION AS TO THE URLIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REA, 234 MONT. 343 (1980) (THE BEAM LAKE CASED THE MONTANA SUPREME COURT STRIED: "II IS CLEAR THEREFORE THAT UNDER HONTANA LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION. FISH AND WILDLIFE, EXCEPT THROUGH A NUMPHY RIGHT STRITE."

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A SETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXHAUPL, COMPARED PRIORITY DATES, FLOW RATES, UDLUMES, OR AGRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISINS OR SUBBASINS AS WELL AS BEING SUBJECT OF THE RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LUCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MODITED OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AUAILABILITY." IF YOU MEED OBJECTION FORMS, OR MAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRITH 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: - W-077421-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHEMSES FROM YOUR WATER RIGHT AS CLAIMED OR AMENOED. AN ASSERTISK C2 HAS BEEN PLACED MEXT TO ENCH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONNEC DURING THE EXPATINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINA WATER COURT OF THE WATER TIGHT CLAIM EXPANIATION RULES AS ADOPTED BY THE MONTAINA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUGILABILITY."
UNLESS OBJECTED TO OF CRALLED IN ON MOTION OF THE MOTINAN BATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATTED MATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION 05-2-23), MOTATHAN CODE ANMOTATED. DWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE_(USE): WILDLIFE UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE : SOURCE TYPE: SURFACE WATER * PRIDRITY DATE: DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM * ELDY_BOIE: THIS ONSTREAM RESERVOIR. **UOLUME:** 43.7B RF PERIOD DE USE: JANUARY DI TO DECEMBER 31 * POINT_DE_DIVERSION AND_MEANS DE DIVERSION: LOT BLK _QTR SEC SEC TWP RGE_COUNTY_ MERNS EZNESW 28 34N 39E VALLEY 01 DAM RESERVOIR : DIR SEC SEC TWP_RGE_COUNTY_ EZNESW 28 34N 39E VALLEY O1 DNSTREAM RESERVOIR/LAKE NAME: WARDS RESERVOIR CAPACITY: _____49.4 AC-FI DAM HEIGHT: _16.EI SURFACE AREA: ____8.70 ACRES SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE DE USE FOR WILDLIFE: ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY 001 **EZNESW** 34N 39F URLL FY 500 500 500 34N SENWSW 28 85 39E UALLEY SÉSV 34N 39E UALLEY E2SWSW กรีร์ UALLEY

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF MATER RIGHT CLAIM

WATERERIGHTENUMBERE4002-W-077421-002(CONTINUED)

REMARKS CONTINUED:

REMARKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERN, PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ARTERNATE AND EXCHANGE THE USE CHUPPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRECTICES. W077421-00, W077422-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXHVILINATION OF THIS WATER RIGHT CLRIM. THESE ISSUES MAY REMAIN UNRESCULUED IF NO OBJECTIONS NEE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS TREAT IS NOWESTION HS IN THE MATTER OF THE DERMSORN DRAINAGE REER, 234 MONT. 843 (1988) (THE BERN LAKE CRES) THE MINITARY SHEPPING THATE OF THE THAT UNDER MONTHAM LAW BEFORE 1973, MO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECERTION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, VOLUMES, OR ACRES ISRIGATED. ALSO, YOUR WATER RIGHT THAY BE SUBJECT TO MATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR YOUR YOUR YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED *NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELIMINARY DECREE AND MITICE OF AUAILABILITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN NT 5977-10479.

03/31/95

MILL RIVER BELDW WHITEWHIER CREEK INCLUDING PORCUPINE CREEK

ABSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#MURBER#400#~W-077422-00

THEORYGANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENGED. AN ASTRACK EX MAS BEEM PLACED NEXT IN FACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION FORCE) SURTING THE EXMINATION PROCESS. THESE CHANGES AND RIGHTED BY THE MONTHM WATER COURT OR THE WATER RIGHT CLAIM EXMINATION RILES AS AGONTED BY THE MONTHMA SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURIL ABBLITY."
UNLESS BUJECTED TO DR CALLED IN HOTION OF THE MOTINAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINM, DECREE AS SMOWN ON THIS MOSTRACT. USES SECTION 65"2-233, MOTHAN COOR AMMOTATE). OMNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800 BILLINGS 59107 PURPOSE_(USE): STOCK UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE TYPE: SURFACE WATER SOURCE : * PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM * FLOW_RATE: THIS ONSTREAM RESERVOIR. .62 AF UDLUME: PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 EZNESW 28 34N 39E URLLEY DAM RESERVOIR: OTR SEC SEC IMP RGE COUNTY O1 DNSTREAM FENESW 2B 34N 39E UALLEY RESERVOIR/LAKE NAME: WARDS RESERVOIR CAPACITY: 444 AC-FI DAM HEIGHT: 16 FI SURFACE AREA: 8.70 ACRES SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. * PLACE OF USE FOR STOCK: ____GCRES_____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY____ 001 E2NES# 34N UALLEY SENUSU 28 34N 39E 28 34N 39E UALLEY 002 K JAN 003 SESU VALLEY E25WSW 28 VALLEY

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400 BRSTRADO BRSTRADO BRSTRAT DE WATER BEGNI I DATH

WATERERIGHTENUMBERE4002-W-077422-00x(CONTINUED)

PENGRES CONTINUED.

REMARKS:

THE MATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO METERNATE AND EXCHANGE THE USE (PURPOSE) C° THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE DNCC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES ITRIGATED. ASO, YOUR WITER RIGHT AND AS BUBIECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WE'L AS BEIMS SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR MATER RIGHT MRY BE SUBJECT TO INDIAN RESERVED AND FEDERAR, RESERVED WATER RIGHT MRY BE SUBJECT TO

COMPLETE DETAILS REGARDING THE DWKC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITIONARY DECKE AND NOTICE OF ANAILABILITY. IF YOU NEED OBJECTION FORES, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CRILING 1-BOO-624-3270 (WITHIN MONTANA DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, 80ZERNA NT 3971-10879.

03/31/95 PRGE 3.796

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-077423-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#2) HAS BEEM PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE MUTHORIZED BY THE MONTHAM WATER THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTLINED IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DEFINE AND NOTICE OF AVAILABILITY."
UNLESS DEJECTED TO OR CALLED IN MOTION OF THE HOMENAW MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE S SHOWN ON THIS MOSTRACT. (SEE SECTION 65-2-23), MONTANG CODE ANNOTATE).

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800

BILLINGS

MT 59107

PURPOSE (USE): STOCK

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK * SOURCE: SOURCE TYPE: SURFACE WATER

PRITHOLE LAKE

PRIDRITY DBIE: AUGUST 04, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM

VOLUME:

.79 AF

PERIOD OF USE: JANUARY OF TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP_RGE_COUNTY MEANS_ SENENW 28 34N 39E VALLEY NESENW 28 34N 39E VALLEY DIRECT FROM SOURCE 01 DIRECT FROM SOURCE

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY SENENU 28 34N 39E URLLEY NESENH 28 34N 39E URLLEY

001 Šŏŏ REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE MILK RIVER BELOW WHITEMPER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-077423-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RETERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077424-00.

* THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
DATA, OR ISSUES TO REPORT TO THE MATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING FOUR RIGHT WITH OTHER CLAIMS IN THE APSIME FOR EXPRESS OF ARREST TRICATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER FIGHTS IN ADJOINING BASINS OR SUBBASINS OR SUBFLICE OF THE RIGHT HAY BE SUBJECT TO OTHER RIGHTS UN FOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DWRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REJIEVED AT THE OFFICE LOTATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILARILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE DE NOTICE OF ENTRY OF FRELITINARY DETRE LORGE AND NOTICE OF ANAILABILITY." IF YOU NEED OBJECTION FORMS, OR MADE QUESTIONS ABOUT WATER COURT PY CRELING PROCECURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRIT THE WATER COURT BY CRELING 1-BOO-524-3270 (WITHIN HONTINH ONLY) OR 1-405-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WATER#RIGHT#NUMBER#400#-W-077424-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HAURAL RESOURCES AND CONSERVATION CONER) UNITING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AURILABILITY." THE LIBERT THE ELEMENTS OF THIS CLAIMED WHERE RIGHT WILL APPEAR IN THE FINAL DECREE

THE ELEMENTS OF THIS CLAIMED WHERE RIGHT WILL APPEAR IN THE FINAL DECREE

S SHOWN ON THIS MESTRACT. (SEE SECTION 65-2-23), HOHERING CORE RINDIATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT) PO BOX 36800

59107

BILLINGS PURPOSE_CUSE): WILDLIFE

UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK * SOURCE: SOURCE TYPE: SURFACE WATER

POTHCLE LAKE

PRIDRITY DATE: AUGUST 04, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW_RATE:

UDLUME: 9-21 AF

PERIOD_OF_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

SEMENW 28 34M 39E VALLEY MESENW 28 34M 39E VALLEY 01 02 DIRECT FROM SOURCE DIRECT FROM SOURCE

* PLACE OF USE FOR WILDLIFE:

BCRES LOT BLK GIR SEC SEC TWP RGE COUNTY

SENENU 28 34N 39E 001 002 NESENW 28 34N 39E UALLEY

REBARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER & RIGHT & NUMBER & 400 x - W - 077424 - 00 x (CONTINUED)

REMARKS CONTINUED:

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* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESOLUED IF NO DEJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DERARDAN DRAINAGE AREA, 234 MONT. 343 (1988) CTHE BEAN LAKE CASED THE MONTHANS SUPERME COURT STATEO: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY KIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLATMED WATER RIGHT CAN BE COTAINED BY COMPARING VOUR RIGHT WITH OTHER CLATMS IN THE BESIN FOR EXHIPLE, COMPARED PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJINITING BRAINS OR SUBBRISH OR BELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MON FEDERAL RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "WINDITCE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ANATLABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-39270 (WITHIN MONTANA DRILY) OR 1-406-585-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE PAGE 3,800 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BOSIN 400 DESTROY BOSIN 400 ARSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-077425-00

TMPORTANT NOTTCE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CLONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLAED MEXT TO HOLD ITEM CHANGED BY THE CEPHARINET OF HATURAR RESOURCES AND CONSERVATION (OMEC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANG WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ABONTED BY THE MONTANG AND THE MONTANG WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ABONTED BY THE MONTANG AND THE MONTANG WATER COUNTY OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ABONTED BY THE MONTANG WATER COUNTY OF THE MONTANG WATER COUNT SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES DUTITINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS GORECTED TO OR CALLED IN ON HOTION OF THE HONTAINS MATERICAL TOURT IN THIS CLARIES WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE ESCITION 65-2-233, MONTAINS CODE ARMOTATED.)

DYNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107 PURPOSE CUSED: WILDLIFF UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK SOURCE: SOURCE TYPE: SURFACE WATER PRIDRITY_DBIE: OCTOBER 17, 1961
TYPE OF HISTORICAL RIGHT: USE NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM ELOW_ROIE: THIS ONSTREAM RESERVOIR. UCLUME: 4.40 AF PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT_OF_DIVERSION AND MEANS_OF_DIVERSION: LOT BLK OTR SEC SEC TWP.RGE_COUNTY____ MEANS

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REMARKS:

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PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK RASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:-W-077425-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE HILLIPLE USES OF THE SAME RIGHT. THE USE OF THE REPORTER SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WHIER RIGHT. RATHER IT DECREES THE RIGHT TO MITERNATE AND EXCHANGE THE USE COURNOSE OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DRRC DURING ITS

* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

* UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FO-LOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM QUERLAPPING PLACES OF USE. W077425-00, W077426-00, W042113-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT UITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIBATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOURNING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RILATED MATERIALS CAN BE REVIEWED AT THE OPPICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY DE PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLATHED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINIARY DECREE AND NOTICE OF AUGUSTALIABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR KIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOD-624-3270 (WITHIN MONTHAM DNLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 5977-30875.

PRELIMINARY DECREE 03/31/95 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WHIER RIGHT CLAIM

WATERARIGHTANUMBERA400a-W-077426-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPRATHENT OF NATURAL RESOURCES AND CONSEQUENCED MEXT TO EACH ITEM CHANGED BY THE MONTHAN AFTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE HONTANA SUPREME COURT.

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	PRIORITY_DBIE: OCTOBER 17, 1961 TYPE OF HISTORICAL RIGHT: USE											
ELOW_BOIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.												
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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*HUMBER*400*-W-077426-00*(CONTINUED)

REMARKS CONTINUED:

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* ž ż THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEUERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE COURDOSE) OF THE WATER IN ACCEPT, WITH HISTORICAL PRACTICES. W077425-00, W077426-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXHUNATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESQUED IF NO DRECTIONS ARE FILED. 2

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OUERLAPPING PLACES OF USE. WO42113-00, W077425-00, W077426-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO IRRIGATOR RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE DEFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILBAILTY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAURED WATER TOHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DETREE AND NOTICE OF HOWLLAND THE PROCEDURES OR CHANGES TO YOUR RECOMMY, YOU CAN CONTROL THE WATER COURT BY CALLING 1-BOOLEGY-32FO LEVILLIN MONIFAID ONLY) OR 1-406-586-386, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK ASIN 400

ARSTRACT OF WATER RIGHT CLAIM

WRTER:RIGHT:NUMBER:400:-W-077427-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATURAL RESOURCES AND CONSERVATION (ONC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINARY DECREE AND MOJICE OF AVAILABILITY."
UNLESS GOBLECTED TO GO CALLED IN ON MOJION OF THE MOJIFANN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLATHED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239. MONTANE CORE ANNOTATED.) USA COEPT OF INTERIOR BUREAU OF LAND MGMT)
PD 8DX 368000
BILLINGS MT 59107 OWNERS: PURPOSE CUSED: STOCK UNNAMED TRIBUTARY OF PORCUPINE CREEK. WEST FORK SOURCE: SOURCE TYPE: SURFACE WATER * PRIORITY DATE: OECEMBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE FLOW_RRIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UDLUME: .62 AF PERIOD_DE USE: JANUARY 01 TO DECEMBER 31 * POINT_DE_DIVERSION_AND_MEANS_OF_DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NESWSW 34 35N 39E URLLEY DAM RESERVOIR: DIR SEC SEC INP RGE COUNTY NESWSW 34 35N 39E UALLEY
___36_0_BC_EI DAM HEIGHT: _15_EI SURFACE AREA: ____5_60_8CRES O1 ONSTREAM SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC. * PLACE_DE_USE_EDR_SIDCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY SUNUSU 35N 39E VALLEY 39E VALLEY 200 NESUSU 34 35N

REMARKS: F 04

03/31/95 PRELIMINARY DECREE PAGE 3,805 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

WATER*RIGHT*NUMBER*400*-W-077427-00*(CONTINUED)

PERGRES CONTINUED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCURD WITH HISTORICAL PRACTICES. W077427-00, W077428-00.

THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AURIL BRILITY."

SEE SCHERRL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXCLANATION OF YOUR CLARIBOU MATER TRUTH. THESE FINDINGS CAH BE FOLD AS THOLORFD IN THE DOCUMENT ENTITLED "HOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF HORIZON FOR THE MOVING ABOUT WATER COURT WATER COURT BY OR THE MOVING ABOUT WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTAND DNLY) OR 1-406-586-344, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER::400:-W-077428-00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS RESTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR MERCHE, AN REJERISK AS 23 HAS BEEN HALED NEXT TO ERCH ITER CHANNED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONRCY DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAINA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTAINA SUPPERE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO BE CALLED IN ON MOTION OF THE MOTIVARIAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SAGONN ON THIS BRISTRET. (SEE SECTION 65-2-23), MOTIVATHOR CODE ARMOTATED. DWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT) BILLINGS 59107 PURPOSE (USE): WILDLIFE UNNAMED TRIBUTARY OF PORCUPINE CREEK. WEST FORK SDURCE: SOURCE TYPE: SURFACE WATER * PRIORITY DAIE: DECEMBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DASTREAM RESERVOIR. 35. 38 BE UDLUME: PERIOD OF USE: JANUARY O1 TO DECEMBER 31 * POINT DE DIVERSION 8ND MEANS DE DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NESWSW 34 35N 39E UALLEY DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY O1 DNSTREAM ONSTREAM NESWSW 34 35M 39E VALLEY
CAPACITY: ____36_0_0C_EI DAM HEIGHT: _15_EI SURFACE AREA: ____5_60_0CRES SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC. * PLACE DE USE FOR WILDLIFE: BCRES LOT BLK OIR SEC SEC TWP RGE COUNTY SWHUSW 39E VALLEY 200 NESUSW 35N 39E VALLEY

REMBRKS:

€ H 04

03/31/95 PRGE 3.807

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLIDING PORCUPINE CREEK BRSTN 400

ARSTRACT OF WATER PICHT IS ATM

WATERERIGHTENUMBERE400g-W-077428-00g(CONTINUED)

REMORKS CONTINUED:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE NULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE CPURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DIRECT DURING ITS

E PARTINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLOED IF MO DESICTIONS ARE FILED.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIRED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE REA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE MUNITARY SUPPERE COURT STATED: "IT IS LIERT THEREFORE THAT UNDER MONTARY LAW BEFORE 1973, NO APPORTATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT HAY BE SUBJECT TO IMPIAN RESERVED AND FEDERAL RESERVED WATER RIGHT HAY BE SUBJECT TO

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE RECUENCED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF ANALIGABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLRIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTITIE OF PRITIED FOR THE OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTROL THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-585-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MIS 5977-10879.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPTHE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT**NUMBER*400*-W-077770-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAUMED OR MEMORD. AN ASTRACTS AND USE BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAN, RESOURCES AND CONSERVATION (DWRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE RUTHORIZED BY THE MONTHMA WATER COUNTY OR THE MATER RIGHT CLAUM EXAMINATION RULES AS ADOPTED BY THE MONTHMA SUPRETE COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED "MOTIZE OF ENTRY OF PRELIMINARY DECREE AND MOTIZE OF AUMILABBLITY."
UNLESS COBJECTED TO OR CRILED IN ON HOTION OF THE MOTHANN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINM, DECREE AS SHOWN ON THIS ABSTRACT. CSE SECTION 85-2-233, MONTHAN COOR EMPORATED.

DWMERS: USA (DEPT OF INTERIOR BUREAU OF LAND HIGHT) PO BOX 36800 BILLINGS

PURPOSE_CUSED: STOCK

SPRING, TRIB OF HAWK COULEE SOURCE TYPE: GROUNDWATER * SOURCE:

ALSO KNOWN AS HOUSE SPRING

* PRIDRITY DRIE: DECEMBER 31, 1966 TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANITHAL UNIT. ANITHAL UNITS SHALL BE BESED ON RESONMELE CARRYING CAPACITY AND MISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. # UDLUME:

59107

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* FOINT_DE_DIVERSION_AND_MEANS_DE_DIVERSION:

LDI BLK OTR SEC SEC TWP RGE COUNTY MEANS

* PLACE DE_USE_FOR_SIOCK:

__ACRES LOT BLK OTR SEC SEC_TWP RGE COUNTY

NESENE 28 30N 40E URLLEY

nnı REMARKS:

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

MESEME 28 30M 40E UALLEY DEVELOPED SPRING

03/31/95 PRGE 3.809

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERARISHTANUMBERA4003-V-077770-003 (CONTINUED)

REMARKS CONTINUED:

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THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO RITERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCOMO WITH HISTORICH, PRACTICES. W077770-00. W077771-00.

* THE FOLLOWING ISSUES WERE CONTIFIED BY THE DARC DURING ITS * EMPIRATION OF THIS WHITER RIGHT CLRIM. THESE ISSUES MAY REMAIN * UNRESOLUCE IF MO BUSICTIONS REF FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT INTS CLAIM.

A BETTER INDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM DE OBTAINED BY COMPRETING YOURR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPAGE PRIDEITY DATES, FLOW RATES, UGLUMES, OR ACRS IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBRISINS OF SUB-BLL AS BETT SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDER RESERVED WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED MOY FEDERAL RESERVED WATER RIGHT WAY BE SUBJECT TO INDIAN RESERVED MOY FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "FOUTIE OF ENTRY OF PRELITINARY DEFREI AND MOTICE OF AWAILABILITY." IF YOU NEED JOBECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIJH, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MOTIANA DMLY) OF 1-406-586-4364, OR BY WRITING TO P.D. BOX 879. BUZERAN MT 5977-10879.

PRELIMINARY DECREE MIL'S RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ARSTRACT OF WATER RIGHT CLAIM

WRITER RIGHT MUMBER #400 # -077771 -00

THPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR MEMORD. AN ASTERISK (2) HAS BEEN PLACEN MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION CONTROL DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MOXTMAN WATER COURT OR THE WATER TIGHT LIGHT MEMORITHMAN RULES AS ADOPTED BY THE MOXTMAN SUPREME COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY OFFER AND MOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OF CALLED IN ON HOTION OF THE MOTIMAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN IN THIS ASSTRACT. (SEE SECTION 65-2-233, MONTHANG ORGANICIATED.)

CHIMERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)

PO 80× 36800 BILLINGS

MT 59107

FURPOSE (USE): WILDLIFE

SPRING, TRIB OF HAWK COULEE SOURCE TYPE: GROUNDWATER x SOURCE:

ALSO KNOWN AS MOUSE SPRING

* PRIORITY DOTE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE .

1.97 GPM

UCLUME:

2.58 AF

PERIOD OF USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OIR SEC SEC TWP RGE COUNTY MEANS.

* PLACE OF USE FOR WILDLIFE:

NESENE 28 30N 40F 11-3 LEY ___OCRES___LOI BLK QIR SEC SEC IVP RGE COUNTY

100

NESENE 28 30N 40E VALLEY

DEUE DPED SPRING

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPLISES DOES MOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE EASERS OF THE WHICK REGIST. KNIMER IS DELIKES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. \$077770-00, \$077771-00.

03/31/95 PRSF 3.811

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASIPACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE 400x-W-077771-00x(CONTINUED)

REMARKS CONTINUED:

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THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UMRESOLVED IF NO OBJECTIONS ARE FILED.

> THE PRIORITY DATE IS IN QUESTION. HO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

THERE IS A QUESTION AS TO THE UALIDITY OF THIS CLAIRED RIGHT. IN THE MATTER OF THE DERREDAYN DRAINAGE REA, 234 MINT. 343 (1988) (THE BERN LAKE CASE) THE MINTARM SUPPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTHAN LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION. FISH AND WILDLIFE, EXCEPT THROUGH A NURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW ARTES, UPLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DYRC EXAMINATION RESULTS AND RELATED MATERIALS COM BE REVIEWED AT THE OPTICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITHARY DECREE AND NOTICE OF AURILABILITY."

SEE GEMERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTITE OF ENTRY OF PRELIGINARY DETRE AND MOTICE OF AUAILRBILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CELLING 1-BOO-564-350 (WITHIN MONTHAID DULY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MISSTYT-0879.

03/31/95 PAGE 3,812

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-V-102309-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS POSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (2) MAS BEEN PLACED MEXT TO BE CHANTED BY THE OPERTHENT OF MATURAM. RESOURCES AND CONSERVATION (OWNER) DURING THE EXMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTHAM HATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS AGONTED BY THE MONTHAM AT A SUPPERE COURT.

DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITIED "MOTICE OF ENTRY OF PRELITINARY DECREE AND MOTICE OF AUAILABILITY."—
UNLESS DBJECTED TO OR CALLED IN ON MOTION OF THE MOTINAN MATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-233, MOTHANE ADORE ARMOTRIED.)

DWNERS: ANDERSEN

WILLIAM IRMA

PO BOX 262

MT 59741

ANDERSEN

PO BOX 262

MT 59741

* PURPOSE_CUSE): IRRIGATION

TYPE OF TRRIGATION SYSTEM: WATER SPREADING

* SCURCE:

CHERRY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 2 IS ON AN UNHAMED TRIBUTARY OF FOSS COULEE.

PRIORITY DATE: FEBRUARY 20, 1905
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE * FLOW_RATE: CONSISTS OF DIRECT FLOW WATER SPREADING.

* YOLUUE:

257.00 AF

CLIMATIC AREA: 2

THE UDLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.0 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE UDLUME MAY BE CONTESTED BY PROPER OBJECTION.

MAXIMUM_ACRES: 128.50

PERIOD_DE_USE: MAY 01 TO OCTOBER 19

* POINT_OF_DIVERSION_OND_MEANS_DE_DIVERSION:

LOT BLK OTR SEC SEC IMP RGE COUNTY _____MEBNS___ WENNE 24 29N 39E URLLEY NESWSE 13 29N 39E URLLEY DIKE 05 DIKE

PLACE_DE_USE_EDR_IRRIGATION:

LOI_BLK__QIR_SEC__SEC__IND_RGE_CONNIY_____

PRELINDHARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 BASTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400g-W-102309-00g(CONTINUED)

PLACE OF USE CONTINUED:

	URLLEY
30.60 NENW 24 29N 39E	URLLEY
00534.40 NWNW 24 29N 39E	VALLEY

RECORKS:

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*

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON OB/07/85.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARG CURING ITS
EXPRINATION OF THIS WATER RIGHT CLRIH. THESE ISSUES MAY REMAIN # UNRESCUED IF MO OBJECTIONS RRE FILED.

UNRESOLVED IF NO ÖBJECTIONS ARE FILED.

THE VALLEY COUNTY WATER RESOURCES SURVEY (1960) APPEARS TO INDICATE 46.00 ACRES TRIGATED. A DESCRIPTION OF THESE ACRES IS I . THE CLAIM FILE.

THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLUED.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH DTHER CLAIMS IN THE BASIM. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, COMPARE PRIDRITY DATES, FLOW RATES, GOLDINGS, SUBJECT TO JATER RIGHTS IN ADJOINING BASIMS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL KESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTIFE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF ROALINGBLIST."

SEE CENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLE OF ENTRY OF PRELITINARY DETREE AND NOTICE OF AUAILBULITY." IF YOU KEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTRO! THE WATER COURT BY CRILING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-405-586-4364, DR BY WRITING TD P 3. BOX 879, BDZERAH MI 59771-0879.

03/31/95

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BRSIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400E-W-102310-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLARMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED MEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF HATLAR RESOURCES AND CONSEQUATION CONCE) DURING THE EVARUATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANN AFTER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANN SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOJICE OF AUTLIABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHAN WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAUME VATER RIGHT WILL APPEAR IN THE FINAL DECREE OF SHOWN ON THIS MASTRICT. (SEE SECTION 08-2-293), MOTHANG ADDED ANNOTHER.

DWNERS: ANDERSEN WILLIAM HANHATTAN MT 59741 ANDERSEN IRMA PO 80X 262 MANHATTAN MT 59741

PURPOSE (USE): STOCK

* UULUME:

CHERRY CREEK, ERST FORK SOURCE TYPE: SURFACE WATER * SOURCE:

POINT OF DIVERSION NO. 2 IS ON FOSS COULEE.

PRIDRITY_DBIE: FEBRUARY 20, 1905
TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH * FLOW_ROIE:

SYSTEM.

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANTHAL UNIT. ANIHAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD_DE_USE: JANUARY O1 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	T_DEGAIR_SEC_SEC_I	ME_BGE_COURTX	DE U D	5
01 02 03	12NV 24 2 E25VSE 13 2 N2NVNE 24 2	9N 39E VALLEY 9N 39E VALLEY 9N 39E VALLEY	, DIRE	CT FROM SOURCE CT FROM SOURCE CT FROM SOURCE
PLACE OF USE FOR	_SIOCK:			
	LOI_BLK_	QIR_SECSEC	IWEBGECOU	BIY
001 002 003		#54#2E 15 #54#4E 54 #52#2E 15	29h 39E UAL 29h 39E UAL 29h 39E UAL A 05	LEY

03/31/95 PRGE 3.815

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLATM

WATER*RIGHT*NUMBER*400*-W-102310-00*(CONTINUED)

REMARKS CONTINUED:

1

*

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESULUED IF NO BUBLECTIONS ARE FILED.

THIS CLAIM APPEARS TO BE CLAIMING IND SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLUED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING VOUR RIGHT WITH OTHER CLAIMS IN THE BASIN FOR EXAMPLE, COMPARE PRIDEITY DATES, FLOW RAIES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BRISHS OR SUBBASINS HE WELL AS BEEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DARG EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REJIEVED AT THE OPTICE LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AUGILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHITE RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELITINIARY DECREE AND MOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR MANE QUESTIONS ABOUT WHITE COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-327 (WITHIN HONTINH ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 8279, BUZEMAN MI 59771-0079.

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK 98510 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-102311-00

THPORTANT NOTICE

YOUR WATER FIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CUBBLES FROM YOUR WATER RIGHT AS CLAIMED DE AMENDED HAM ASSERVED AS MAS BEEN LATED MEXT TO EACH JIEM CHANGED BY THE DEPARTENT OF THE FORMATION FROCESS. THESE CHANGES WERE ENTHRALED BY THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION ROLES OF THE MONTHAN WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAN WATER SUPPREME COURT.

OBJ.CTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABILITY." UNLESS OBJECTED TO UR CALLED IN ON MOTION OF THE MOTINAN MATER COURT IN THE DECREE, THE ELEMENTS OF THIS CLATMED WATER KIDT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANE CORE ARMOINTED.)

	THUE 25	PO BOX 262	WILLIAM	۲		
		MANHATTAN	HT	59741		
		ANDERSEN PO BOX 262 MANHATTAN	IRMA MT	P 59741		
	PURPOSE_	CUSE2: DOMESTIC				
*	SOURCE:	SPRING, T SOURCE TY	RIB OF FOSS PE: GROUNDW	COULEE ATER		
*	PRIORILY	_DBIE: DECEMBER TYPE OF H	31, 1938 ISTORICAL RI	GHT: USE		
	ELOW_ROI	20.00	GPM C .04	CFS)		
	AUTRAE:	2.00	AF .			
		CNUMBER O	F HOUSEHOLDS	1 1)		
	PORIUUD"	ACRES: 1.00)			
	PERIOD_O	E_USE: JANUARY C	1 TO DECEMBE	R 31		
*	POINI_OE	DIVERSION_AND_N	EANS_DE_DIVE	RSION:		
		LOI_BLK_C	IR_SEC_SEC_1	WP_RGE_COUNTY	MERNS	
	01		SESWSE 13 a	9N 39E VALLEY	PUMP	
	PLACE_OF	USE EOR DOMESTO	C:			
		OCRES	LOT BLK	OIR SEC_SEC_IME	RGE COUNTY	
	OO1 TOTAL	1.00 1.00		5E5#SE 13 291		
*	DATA, OR	EXAMINATION OF STANDERS TO REPORT	THIS CLAIM F RT TO THE WA	::::::::::::::::::::::::::::::::::::::	IT FACTS, #	

03/31/95 PAGE 3,817

PRELIMINARY DECREE MILK RIVER BELOW WHITEVATER CREEK INCLUDING PORCUPINE CREEK BASIN 400 ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-102311-00*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT INTO OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES INSTIGATED. ASIO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AURILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BUZERAN MT 5577-10479.

PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER KREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATER*RIGHT*NUMBER*400*-W-102312-00

TMPORTANT NOTTER

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (#) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSECURITION CONEC'D DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTAMA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADDOPTED BY THE MONTAMA SUPPRINC COURT.

DBJECTIONS MAY BE FILED ACCORDING IN THE PROCEDURES QUILINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTITY."—
UNLESS BOJECTED TO OR CALLED IN ON HOTION OF THE HONTAINA WATER COURT IN THE BEGREE, THE ELEMENTS OF THIS CLAMED WATER KIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS BRSTRACT. CSEE SECTION 85-2-233, HONTAINA COUR ANNOTATED.

DWNERS: BRYAN PO BOX 1111

MT 59230

GLASGON

MICHAEL H

BRYAN PO BOX 1111 GLASGOV

#IT 59230

* PURPOSE (USE): COMMERCIAL

MOBILE HOME PARK AND RENTAL HOUSING

SOURCE:

JELL____

* PRIORITY DATE: DECEMBER 31, 1954

SOURCE TYPE: GROUNDWATER

SHELLEY

TYPE OF HISTORICAL RIGHT: USE 75.00 GPM (.17 CFS)

ELDW_ROIE:

VOLUME: 195.00 AF

PERIOD_DE_USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK OTR SEC SEC IMP RGE COUNTY

01 (GDUT) 3 NENWHE 29 28H 40E URLLEY 02 (GDUT) 3 NENWHE 29 28H 40E URLLEY 03 (GDUT) 3 NENWHE 29 28H 40E URLLEY

THIS WATER RIGHT CONSISTS OF THREE WELLS USED IN A MANIFOLDED GROUNDWATER SYSTEM.

* PLACE OF_USE_FOR_COMMERCIAL:

___OCRES____LDI_BLK__QIR_SEC_SEC_IMP_RGE_COUNTY_

001 (BOUT) 3 NWRE 29 28N 40E VALLEY 002 (BOUT) 5 NENW 29 28N 40E VALLEY 003 (GOUT) 9 SZNW 29 28N 40E VALLEY 003

BEDBBKS:

* E 05

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PRELIMINARY DECREE MILK RIVER BELOW WHITEWATER DREEK INCLUDING PORCUPINE CREEK

BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE4001-W-102312-001(CONTINUED)

REMARKS CONTINUED:

1

*

AUTHORIZATION TO CHANGE THE PURPOSE OF A PORTION C75 GPM UP TO 9.5 AC-FT) COMPLETED 06/16/92. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROUED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/87.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESULUED IF NO BOJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO LACK

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED UDLUME EXCEEDS MAXIMUM FEASIBLE UDLUME BASED ON THE FLOW MARE AND PERIOD OF USE, THE MAXIMUM UDLUME POSSIBLE IS 121.30 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE DSTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS VELL AS BEING SUBJECT OF THE RIGHTS OF YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHT.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUGILABLITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE BOCUMENT ENTITLED PROTICE OF ENTRY OF PRELITINERY DECREE AND NOTICE OF ANALIABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.D. BOX 879, BOZEMAN MT 5371-0379.

* F 05

03/31/95 PRGE 3,820

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBERE400x-W-102313-00

THPORTANT NOTICE

YOUR MATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHOMESS FROM YOUR WHITE RIGHT HE LIGHTED OR PHENDED. AM SCIENTISK IS, WHO SEEK HEADED HEXT TO ERCH ITEM CHANGED BY THE DEPARTMENT OF MATURAL RESOURCES AND CONSERVATION COMED JURING THE EXAMINATION PROCESS. THESE CHANGES HERE WITHORIZED BY THE MATTANA WHITE COURT OR THE WATER RIGHT CLAIR EXAMINATION RULES AS ROOPPED BY THE MATTANA WHITE SUPPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES CHILINED IN THE DOCUMENT ENTITIES "MOTICE OF ENTRY OF PRELITHEARY DECREE AND MOTICE OF ANALIABILITY."

UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MOTIVARY MATER COURT IN THIS CLATED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-23), MOTINAN CODE ANNOTATED.

DWDEES: BRYAN SHELLEY PO BOX 1111 GLASGON 59230 MT BRYAN MICHREL PO BOX 1111 MT 59230 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: MILK RIVER SOURCE TYPE: SURFACE WATER * PRIORITY DRIE: DECEMBER 31, 1954
TYPE OF HISTORICAL RIGHT: USE ELDW_RRIE: 100.00 GPM (.22 CFS) THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. * UDLUME: CLIMATIC AREA: 2 MAXIMUM_OCRES: 24.00 PERIGO DE USE: APRIL 01 TO NOVEMBER 30 * POINT DE DIVERSION AND MEANS DE DIVERSION: LOI BLK GIR SEC SEC IMP RGE COUNTY MEANS 01 (GOUT) 3 NENWHE 29 28N 40E VALLEY PUMP PLACE_DE_USE_EDR_IRRIGATION:

REMORKS:

PRELIMINARY DECREE PAGE 3,821 HILK RIVER BELOW WHITEMATER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ABSTRACT OF WATER RIGHT CLAIM

WATERERIGHTENUMBER: 400: - W-102313-00: (CONTINUED)

REMORKS CONTINUED:

THE PURPOSE WAS AMENDED BY THE CLATRONT ON DE/07/91.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/17/92: PLACE OF USE, ACRES IRRIGATED.

MOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/87. NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/90.

***** THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAM BE DETAINED BY COMPARING A BETTER UNDERSIMBUTED OF YOUR CLAIMED WHIER RIGHT LAW BE DETRINED BY CLAYPRING YOUR RIGHT WITH OTHER CLAIMES IN HE BESIN. FOR EXPENSE, COMPRER PRICELY DATES, FLOW RATES, DOUBES, OR ACRES INVIDENCE. A SOO, YOUR WATER RIGHT AND WE SUBJECT TO WATER RIGHT IN ADJUINING BRISINS OR SUBBRISINS A BELL AS BETMS SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIENT RESERVED MATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOGATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AMAILABLITY."

SEE GENERAL FINDINGS OF FRCT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIRED WHER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT INTILED "PROTICE OF ENTRY OF PRELITINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU HEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEPURES OR CHANGES TO YOUR BIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MORTHMA DRLY) OR 1-406-586-4364, OR BY WRITING TO P.O. 80X 879, 80ZFR8N HT 59771-0879.

03/31/95 PAGE 3.822

PRELIMINARY DECREE HILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLIPINE CREEK BRSIN 400

ARSTROCT OF MOTER RICHT CLAIM

WRTERERIGHTENUMBERE400E-W-104473-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHONGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRACTSK (2) HAS BEEN PLACED MEKT TO EACH ITEM CHANNED BY THE DEPORTMENT OF MATURAL RESOURCES AND CONSEQUATION (OWNED DUTING THE EXMITMATION PROCESS. THESE CHANGES AND CHORES BY THE MONTHAIN HATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTHAIN SUPPEME COURT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIMINARY DECREE AND MOTICE OF AUMILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON HOTION OF THE MOTHANH WHITE COURT IN THIS DECREE, THE ELEMENTS OF THIS CLARMED WHITE RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS MOSTRACT. (SEE SECTION BS:2-2-23), MOTHANG CODE ANNOTATE).

PETERS FARMS INC PO BOX 219 RICHLAND DWNERS : MT 59260 PRMKRRTZ WESLEY £ PO BOX 219 ĦΤ 59260 PURPOSE (USE): STOCK SOURCE: SOURCE TYPE: GROWNOWATER PRIORITY DATE: OCTOBER 15, 1943
TYPE OF HISTORICAL RIGHT: USE ELOW_RBIE: S.OO GPT THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANTINAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING LAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY * UOLUME: THIS WATER SOURCE. PERIOD DE USE: JANUARY O1 TO DECEMBER 31 * POINT OF DIVERSION: LOT BLK QIR SEC SEC IMP RGE COUNTY 01 NWNERW 31 34M 43E URLLEY * PLACE OF USE FOR STOCK: BCRES LOT BLK OTB SEC SEC TWP RGE COUNTY 001 NWMENW 31 34M 43E URLLEY ** THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * ** DATA, OR ISSUES TO REPORT TO THE WATER COURT. **

03/31/95 PAGE 3,823

PRELIMINARY DECREE HILK RIVER BELOW WHITEWRIER CREEK INCLUDING PORCUPINE CREEK BASIN 400

ARSTRACT DE WATER RIGHT CLAIM

WATERERIEHTENUMBERE400g-W-104472-00g(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIDRITY DATES, FLOW RATES, UDLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT HAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASING OR SUBBASING AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAM RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE MEDITEMED AT THE DFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELIGIARRY DECREE AND MOTICE OF ANALISALIST."

SEE SEMERGH. FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLARINGD WHERE TRINT. THESE FINDINGS COME BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "MOTICE OF ENTRY OF PRELITITIARY DECREE AND MOTICE OF MAXIMAL ABILITY." IF YOU MEED OBJECTION FORMS, OR MANG QUESTIONS ABOUT WHERE COURT PROCEDURES OR DANNES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-BOO-SEA*350 (WITHIN MONTHMA DALY) OR 1-406*586-4364, OR BY WRITING TO P.O. BOX 879, BUZEMAN MT 5977-1-0479.